SUMMARY: Report on the C.L.E.A.R. Act: Community Law Enforcement Action Reporting Act - CY 2015 Report
Pursuant to Senate Bill 2015-185

Presented to the House and Senate Judiciary Committees of the Colorado General Assembly

December 2016

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Colorado Department of Public Safety

Division of Criminal Justice

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https://www.colorado.gov/pacific/dcj-ors

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Preface

In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies, the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2015.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. This report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes. The details by offense type are presented in the corresponding web-based interactive dashboard available at: colorado.gov/dcj-ors/ors-SB185

These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

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Executive Summary

Background. In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies,[1] the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2015.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories,[2] this report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: colorado.gov/dcj-ors/ors-SB185

These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

Finally, the state Demographer's Office estimates that in 2015, the Colorado population was 5,443,608 and was comprised as follows: White, 69.1%; Black, 4.2%; Hispanic, 22.2%; and Other, 4.6%. Males made up 50.3% of the state population and females made up 49.7% of the population.

Law enforcement data. In 2015 law enforcement made/issued over 200,000 arrests/summonses. In 2015, arrests/summonses for Drug offenses accounted for 8.4% of all arrests/summonses while Violent crimes accounted for 11.3% of arrests/summonses, Property offenses accounted for 15.9% of arrests/summonses, and the remainder of arrests/summonses (64.4%) fell into the Other crime category. Blacks represented 4.2% of the state population in 2015, but accounted for 12.4% of arrests/summonses. Males represent about 50% of the state population and 70-80% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. *It is important to clarify that the Judicial Department systematically collects information on race but not ethnicity. This means that many Hispanic defendants are classified as White, and the Hispanic classification underrepresents the number of Hispanics involved in court cases. Consequently, the race/ethnicity designation for all the court decision points must be interpreted with caution.*

Additionally, all offenses presented in the analysis of court data <u>include</u> attempts, solicitations, and conspiracies.

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[1] Local law enforcement agencies submit offense and arrest data to the Colorado Bureau of Investigation. The data used for this report was extracted from CBI's National Incident Based Reporting System (NIBRS).

[2] The arrest information includes 17 offense categories summarized from more than 40, and the court data includes 24 offense categories summarized from more than 1500 statutes.

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This study of 105,156 case filings in county, district, and juvenile courts combined found that, while Blacks represented 4.2% of the state population and 12.4% of the arrests/summonses in 2015, they accounted for 10.5% of court filings. In juvenile court, Blacks represented 16% of cases, compared to 5% of Black juveniles in the population. Combining the three types of courts, the race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, however, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (29% compared to 25%, respectively) and slightly less to be involved in Violent offenses (33% compared to 36%, respectively). Only 1% of cases completed a trial in county and district court; 2% of juvenile court cases completed a trial. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 31.0% of cases in county court were dismissed, as were 13.0% of cases in district court and 25.5% of cases in juvenile court. One-third (34.8%) of county court cases were convicted as charged compared to 25.3% in district court and 40.4% in juvenile court. Another one-third (34.8%) of county court cases were convicted of a different charge, as were half (49.9%) of district court cases, and 25.3% of juvenile court cases. Black youth in juvenile court were somewhat less likely to be convicted as charged (33.8% compared to 40.4% overall), and were twice as likely as the other race/ethnicity groups to have a case falling into the not yet resolved category (16% compared to 8% overall).

Initial court sentences. Analyzed here is the most serious initial sentence; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, in 2015, this study found that 18% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the initial sentence.

County court. Women were significantly more likely than men to receive a deferred judgment in county court (30.6% compared to 18.8%, respectively). Men were more likely than women to receive a jail sentence (18.3% for men compared to 10.4% for women), and men were more likely to be granted an initial sentence to probation (31.7% compared to 25.5% for women) in county court. There were few differences in the initial sentence across race/ethnicity in county court.

Adult district court. In district court, probation was the most frequently occurring initial sentence, happening two-thirds (65.7%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 11.4% of Drug cases, 29.9% of Other cases, 14.3% of Property cases, and 23.2% of Violent cases received a sentence to the Department of Corrections. Nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups. It should be noted that while Blacks represented 10.5% of cases filed in district court, they represented 20.9% of cases sentenced. Deferred judgments were

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initially imposed in 10.5% of district court cases and were most likely to be imposed in Property cases (14.9%), and least likely to be imposed in Drug cases (6.2%). Overall in district court, Blacks were more likely than the other race/ethnicity categories to receive initial sentences of confinement (community corrections, Department of Corrections and jail) and less likely to receive probation or a deferred judgment for Drug, Other, and Violent offenses.

Juvenile court. As with county and district court, initial sentences to probation were the most frequently occurring sentence in juvenile court: approximately half (48.9%) of initial sentences were to probation, while 33.9% of cases were granted a deferred judgment. Drug cases were slightly more likely than other offenses to receive a deferred judgment (39.0%) in juvenile court. Initial sentences to the Division of Youth Corrections were more likely for Violent and Other cases. Across race/ethnicity categories, Blacks in juvenile court were considerably less likely to receive a deferred judgment and more likely to receive an initial sentence to the Division of Youth Corrections. For each of the four crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment and much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses (this finding did not hold for Property offenses). Finally, compared to males, females were more likely to receive a deferred judgment and less likely to receive a sentence to the Division of Youth Corrections.

Revocations. Cases sentenced in 2015 with any revocation from probation or a deferred judgment are included in the analyses presented here. Data pertaining to petitions to revoke, mandated in S.B. 15-185, is less reliable than actual revocation sentence data. **Note that these are cases, not individuals** and, as previously mentioned, 8% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses, and the results should be interpreted with caution.

County court. Overall, 22.0% of county court cases receiving a probation/deferred judgment in 2015 were revoked. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Females in county court were less likely to get revoked than males (18.5% compared to 23.4%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked (27.4%) whereas males with drug crimes were least likely to be revoked (15.6%). Compared with the other offense types, men with Violent cases were most likely to get revoked (28.2%) in county court.

Adult district court. In district court, 33.3% of cases were revoked. Across race/ethnicity groups, Drug cases compared to the other offense categories, were the most likely to be revoked. Blacks with Drug cases were revoked at a rate of 40.3%. Blacks with Violent offenses were more likely to be revoked (28.4%) than those in the other race/ethnicity categories with Violent cases. Women in adult district court were slightly more likely than men to get revoked (34.3% compared to 32.9%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked (43.2% compared to 41.0%, respectively).

Juvenile court. In juvenile court, 31.5% of cases sentenced to probation/deferred judgment in 2015 were revoked. Blacks were most likely to be revoked for Drug offenses and Other crimes (both 38.2%) and least likely to be revoked for Violent offenses (28.8%). Females were revoked at a rate of 24.7% compared to 33.4% for males. Comparing across

crime types, females with Property crimes were most likely to be revoked (29.4%) and males with Drug cases were most likely to be revoked (36.7%).

Adult parole board decisions. According to data provided by the Department of Corrections, Whites were more likely to be granted discretionary parole release (54.2% compared to 48.3% of overall hearings) along with Asians (1.0% compared to 0.8%), while Blacks, Hispanics and Native Americans were less likely to be granted discretionary parole. In terms of gender, women were more likely to receive discretionary parole (15.6% versus 11.6% of total hearings) compared to men. There was very little difference in the race/ethnicity distribution for those denied parole when compared to the overall distribution of hearings. In terms of gender, women were slightly less likely and men were slightly more likely to be denied parole when compared with the overall distribution of hearings.

Overall summary. Senate Bill 15-185 was intended, in part, to examine differences across race/ethnicity at major decision points in the justice system. Law enforcement data provides both race/ethnicity information, but this is not the case with court data. Because the Judicial Department race/ethnicity data places most Hispanics in the White race/ethnicity category, it is difficult to draw conclusions about decisions made in cases with Hispanic and White defendants.

In 2015, Blacks represented 4.2% of the state population but accounted for 12.4% of arrests/summonses, 10.5% of adult district court filings, and 20.9% of cases sentenced. In juvenile court, Blacks represented 16% of cases, compared to 5% of Black juveniles in the population.

In county court only, there were few differences in the initial sentence across race/ethnicity.

In adult district court, nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups. Overall in district court, Blacks were more likely than the other race/ethnicity categories to receive initial sentences of confinement (community corrections, Department of Corrections and jail) and less likely to receive probation or a deferred judgment for Drug, Other, and Violent offenses.

In juvenile court, for each of the four crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment and much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses (this finding did not hold for Property offenses).

In terms of revocations, 33.3% of adult district court cases were revoked. Note that these are *cases* and not individuals, and one-third of cases in adult district and juvenile court had multiple (concurrent) cases. Across race/ethnicity groups, Drug cases compared to the other offense categories, were the most likely to be revoked. Blacks with Drug cases were revoked at a rate of 40.3%. Blacks with Violent offenses were more likely to be revoked (28.4%) than those in the other race/ethnicity categories with Violent cases. In juvenile court, 31.5% of cases sentenced to probation/deferred judgment in 2015 were revoked. Blacks were most likely to be revoked for Drug offenses and Other crimes (both 38.2%) and least likely to be revoked for Violent offenses (28.8%).

In terms of decisions made by the Parole Board, according to data provided by the Department of Corrections, Whites were more likely to be granted discretionary parole release (54.2% compared to 48.3% of overall hearings) along with

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Asians (1.0% compared to 0.8%), while Blacks, Hispanics and Native Americans were less likely to be granted discretionary parole.

Finally, because of the disparities in initial sentences for Black defendants, additional analyses were undertaken to examine the impact of concurrent cases and prior history on initial sentences since these variables are very likely to influence the case decision making process. However, when controlling for concurrent cases or prior history, Blacks— adults and youth—were still more likely <u>not</u> to receive a deferred judgment. A deferred judgment is an opportunity to avoid a criminal record. Likewise, accounting for concurrent cases and prior cases, Blacks were more likely to receive sentences to the Department of Corrections and, for youth, the Division of Youth Corrections. It is possible that other factors besides concurrent cases and prior history explain the race/ethnicity differences initial sentences for Black defendants.

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Section 1: Introduction

Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies,[3] the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2015, including the following:

- Arrest information by offense type disaggregated by summons, custody/warrant arrest, and on view/probable cause arrest;
- Misdemeanor and felony charges filed by offense type;
- The dispositions of charges filed by offense type;
- Sentence by offense type;
- Revocations for probation and deferred judgments, and
- Adult parole hearings and release decisions.

It is important to clarify that the Judicial Department systematically collects information on race but not ethnicity. This means that many Hispanic defendants are classified as White, and the Hispanic classification underrepresents Hispanics. Consequently, the race/ethnicity designation for all the court decision points must be interpreted with caution.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories (the arrest information includes 17 offense categories [summarized from more than 40], and the court data includes 24 offense categories[summarized from more than 1500 statutes]), this report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: colorado.gov/dcj-ors/ors-SB185

This report is presented to the Judiciary Committees of the General Assembly in tandem with the data dashboard that provides information by offense type, and includes a feature that shows the initial sentence by number of prior cases. These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimates that the 2015 state population for 2015 was 5,443,608 and was comprised as follows:

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[3] Local law enforcement agencies submit offense and arrest data to the Colorado Bureau of Investigation. The data used for this report was extracted from CBI's National Incident Based Reporting System (NIBRS).

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Table 1.1. Race/ethnicity of Colorado population, 2015

Race/ethnicity	Adult %	Juvenile %	Total %
White	72.6	57.6	69.1
Black	3.9	5.0	4.2
Hispanic	19.1	32.4	22.2
Other	4.4	5.0	4.5
Total	**100.0%**	**100.0%**	**100.0%**

Data Source: Colorado Department of Local Affairs, Office of the State Demographer.

Males made up 50.3% of the state population and females made up 49.7% of the population.

Organization of this report: This report is organized into five sections. This section provides an overview of the study and important information about the data sources. Section Two presents the findings from the law enforcement arrest/summons analyses, breaking down the information into three categories as directed by S.B. 15-185: *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). Section Three presents the findings from the analysis of data obtained from the Judicial Department, including filing charges, case outcomes, initial sentences, trials, and revocations for those sentenced to probation or a deferred judgment. The findings are presented by county, adult district and juvenile court. Section Four presents information obtained from the Department of Corrections regarding parole board decisions, and Section Five describes the findings from additional analyses undertaken to better understand the impact of concurrent cases and prior cases on the initial sentence.

Data sources

Arrest/Summons. Law enforcement data for the period between January 1, 2015 and December 31, 2015 was obtained from the Colorado Bureau of Investigation's National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests. NIBRS requires different details in the reporting of Group A and Group B offenses. Law enforcement must report both incidents and arrests for Group A offenses, and they must report only arrests for Group B offenses. NIBRS developers used the following criteria to determine if a crime should be designated as a Group A offense:

- The seriousness or significance of the offense;
- The frequency or volume of its occurrence;
- The seriousness or significance of the offense;
- The prevalence of the offense nationwide;
- The probability law enforcement becomes aware of the offense;
- The likelihood that law enforcement is the best source for collecting data regarding the offense;
- The burden placed on law enforcement in collecting data on the offense;
- The national statistical validity and usefulness of the collected data.

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NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into "Other."[4] Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). More than 220,000 NIBRS incidents were analyzed for calendar year 2015 (Table 1.2).

Table 1.2. Arrests by Type

Type of arrest	%	N
On-view/probable cause	33.2%	73,969
Summons	37.5%	83,758
Custody/warrant	29.3%	65,363
Total	**100.0%**	**223,090**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

The arrest data were reduced to 17 categories of offenses (see Appendix A) that can be viewed on the interactive data dashboard and, for this report, further collapsed into four categories of Drugs, Other, Property and Violent. Arrests can contain multiple charges. The arrest charge presented here represents the most serious charge on the arrest as selected by the law enforcement officer.

The NIBRS data contain both race and ethnicity information.

Judicial case processing data. ICON is the Colorado Judicial Branch's information management system, which contains county and district court adult and juvenile filings and case dispositions statewide, with the exception of Denver County Court.[5] County court contains both adult and juvenile misdemeanor cases. The data are presented by court type: County, Adult District, and Juvenile. Juveniles who were charged as adults are in Adult District Court. The number of cases analyzed by type of court is in Table 1.3.

Note that the information presented here reflects the analysis of more than 100,000 ***cases not individuals***. Individuals may have multiple, concurrent cases,[6] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories[7] which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other,

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[4] Group B crimes include bad checks, curfew/loitering/vagrancy, disorderly conduct, driving under the influence, drunkenness, family offenses (nonviolent), liquor law violations, voyeurism, runaway, trespass of real property, all other offenses.

[5] Denver County Court is not part of ICON and consequently this information is excluded from the information presented in this report and on the interactive web dashboard.

[6] This study found that in 2015 8% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

[7] The 24 offense categories are summarized from more than 1500 statutes.

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Property and Violent.[8] The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county filing. Cases sentenced to probation or a deferred judgment that were revoked are reported, but those sentenced near the end of 2015 may not have had time to revoke.

As previously mentioned, Judicial systematically collects information about race but not ethnicity. This means that, when the data is disaggregated by race/ethnicity, most Hispanics are in the White category. Thus the number of Hispanic cases in court is underrepresented in the Hispanic category and overrepresented in the White category. The Judicial race/ethnicity data, then, must be interpreted with caution.

Finally, 300 cases were removed because gender was not specified.

Table 1.3: Court of case filing

Court	%	N
County	53%	55,819
Adult District	39%	41,191
Juvenile	8%	8,146
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Adult Parole Board decisions. The Department of Corrections, Office of Planning and Analysis, analyzed and provided the results of parole board decision making in calendar year 2015.

Finally note that the cases represented in the arrests, filings, sentences, and parole board sections are not necessarily the same cases. This is due to the fact that a lag exists between when an arrest results in a filing, when a filing results in a sentence, and when an offender is paroled. This report analyzes events (arrests, filings, sentences, parole decisions) that occurred in a single year.

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[8] Note that all offenses include attempts, solicitations, and conspiracies.

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Section Two: Law enforcement data

Arrest/summons

The findings presented in this report summarize multiple offense types into four broad categories of crime types: Drugs, Other, Property and Violent (Table 2.1) (see Appendix A for a list of crimes in each category). The interactive dashboard, at colorado.gov/dcj-ors/ors-SB185, provides information on 17 arrest offense types. The analysis of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, Senate Bill 15-185 mandates that arrest information be provided by arrest type and summons. The data represent all arrests/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2015.

Table 2.1: Arrests by charge, 2015

Charge	%	N
Drugs	8.4%	18,793
Other	64.4%	143,643
Property	15.9%	35,444
Violent	11.3%	25,210
Total	**100.0%**	**223,090**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Table 2.2 reflects over 220,000 arrests/summonses captured in NIBRS for calendar year 2015, by race/ethnicity. Blacks represented 4.2% of the state population in 2015, but accounted for 12.4% of arrests/summonses. Hispanics represented 22.2% of the state population and accounted for 23.3% of arrests. Other race/ethnicity categories represented 4.5% of the state population, and were underrepresented in arrests (2.6%), as were Whites which represented 69.1% of the state population and 61.8% of arrests/summonses.

Table 2.2: Arrests/summons by race/ethnicity

Race/ethnicity	%	N
Black	12.4%	27,567
Hispanic	23.3%	51,904
Other	2.6%	5,723
White	61.8%	137,896
Total	**100.0%**	**223,090**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

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Table 2.3 shows that juveniles accounted for 6.3% of on view/probable cause arrests, and that 21.5% of those arrests were for violent crimes, a proportion similar to adults (20.4%). Juveniles accounted for 10.6% of custody/warrant arrests (Table 2.4). Overall, juveniles were more likely to get summoned than arrested; they accounted for almost one-fifth (19.4%) of summonsed cases (Table 2.5). Not surprisingly, violent offenses were least likely to result in a summons for adults (Table 2.5).

Table 2.3: Arrest type On-View/Probable Cause by age category and charge

Age category	%	N
Adult	**93.7%**	**69,305**
Drugs	11.6%	8,049
Other	54.1%	37,507
Property	13.9%	9,604
Violent	20.4%	14,145
Juvenile	**6.3%**	**4,664**
Drugs	10.2%	477
Other	40.8%	1,905
Property	27.4%	1,278
Violent	21.5%	1,004
Total	**100.0%**	**73,969**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Table 2.4: Arrest type Custody/Warrant by age category and charge

Age category	%	N
Adult	**89.4%**	**58,437**
Drugs	3.0%	1,781
Other	81.0%	47,349
Property	7.2%	4,225
Violent	8.7%	5,082
Juvenile	**10.6%**	**6,926**
Drugs	1.8%	122
Other	87.0%	6,029
Property	6.3%	435
Violent	4.9%	340
Total	**100.0%**	**65,363**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

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Table 2.5: Arrest type <u>Summons</u> by age category and charge

Age category	%	N
Adult	**80.6%**	**67,515**
Drugs	7.4%	5,012
Other	63.8%	43,072
Property	23.7%	15,971
Violent	5.1%	3,460
Juvenile	**19.4%**	**16,243**
Drugs	20.6%	3,352
Other	47.9%	7,781
Property	24.2%	3,931
Violent	7.3%	1,179
Total	**100.0%**	**83,758**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Combining juveniles and adults, the following three tables show type of arrest/summons by offense type, disaggregated by race/ethnicity. First, Table 2.6 shows that 11.5% of probable cause arrests were for Drug related offenses, 53.3% were for Other offenses, 14.7% for Property offenses, and 20.5% for Violent offenses. While Blacks make up 4.2% of the state population, Table 2.6 shows that they were arrested at two or 3 times that rate for probable cause arrests in 2015: 12.7% of Drug arrests were Blacks, 10.5% of arrests for Other offenses were Blacks, 15.2% of Property arrests were Blacks, and 17.6% of Violent arrests were Blacks.

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Table 2.6: Arrest type <u>On-View/Probable Cause</u>, by charge and race/ethnicity

Arrest charge	%	N
Drugs	**11.5%**	**8,526**
Black	12.7%	1,085
Hispanic	23.8%	2,033
Other	1.4%	123
White	62.0%	5,285
Other	**53.3%**	**39,412**
Black	10.5%	4,142
Hispanic	24.8%	9,772
Other	2.7%	1,080
White	62.0%	24,418
Property	**14.7%**	**10,882**
Black	15.2%	1,650
Hispanic	25.2%	2,741
Other	2.1%	224
White	57.6%	6,267
Violent	**20.5%**	**15,149**
Black	17.6%	2,669
Hispanic	23.0%	3,491
Other	2.8%	421
White	56.6%	8,568
Total	**100.0%**	**73,969**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2.7. Over 80% of these arrests involved an offense that fell into the Other category. While only 8.3% of these types of arrests involved a Violent offense, Blacks made up 13.7% of Violent crime arrests and Hispanics made up 27.3%, which is somewhat greater than the proportion of Hispanics in the state population (22.2%).

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Table 2.7: Arrest type Custody/Warrant, charge and by race/ethnicity

Arrest charge	%	N
Drugs	**2.9%**	**1,903**
Black	5.7%	108
Hispanic	25.4%	483
Other	1.4%	27
White	67.5%	1,285
Other	**81.7%**	**53,378**
Black	12.1%	6,461
Hispanic	23.7%	12,664
Other	2.4%	1,259
White	61.8%	32,994
Property	**7.1%**	**4,660**
Black	10.8%	501
Hispanic	27.1%	1,261
Other	1.8%	83
White	60.4%	2,815
Violent	**8.3%**	**5,422**
Black	13.7%	743
Hispanic	27.3%	1,479
Other	2.3%	122
White	56.8%	3,078
Total	**100.0%**	**65,363**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Table 2.8 shows that summons are less likely to be issued for Violent offenses (5.5%) compared to Other (60.7%) and Property (23.8%) and that, of those summons issued for Violent crimes, 14.9% went to Blacks. Whites were least likely to be summonsed for a Violent crime (58.6%) and most likely for Drugs (65%).

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Table 2.8: Arrest type <u>Summons</u>, by charge and race/ethnicity

Arrest charge	%	N
Drugs	**10.0%**	**8,364**
Black	11.9%	992
Hispanic	21.1%	1,766
Other	2.0%	171
White	65.0%	5,435
Other	**60.7%**	**50,853**
Black	12.2%	6,228
Hispanic	21.0%	10,659
Other	3.3%	1,678
White	63.5%	32,288
Property	**23.8%**	**19,902**
Black	11.6%	2,299
Hispanic	22.2%	4,415
Other	2.2%	442
White	64.0%	12,746
Violent	**5.5%**	**4,639**
Black	14.9%	689
Hispanic	24.6%	1,140
Other	2.0%	93
White	58.6%	2,717
Total	**100.0%**	**83,758**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

The following three tables show arrest/summons by broad offense category and gender. Although women make up half the Colorado population, they were considerably less likely than men to be arrested. Overall, women constituted approximately 25-30% of arrests/summons and men comprised the remainder. Overall, women were more likely to be involved in Property offenses compared with the other offense categories.

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Table 2.9: Arrest type <u>On-View/Probable Cause</u>, by charge and gender

Charge	%	N
Drugs	**11.5%**	**8,526**
Female	25.9%	2,205
Male	74.1%	6,321
Other	**53.3%**	**39,412**
Female	23.6%	9,295
Male	76.4%	30,117
Property	**14.7%**	**10,882**
Female	30.3%	3,301
Male	69.7%	7,581
Violent	**20.5%**	**15,149**
Female	24.2%	3,659
Male	75.8%	11,490
Total	**100.0%**	**73,969**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Table 2.10: Arrest type <u>Custody/Warrant</u> by charge and gender

Charge	%	N
Drugs	**2.9%**	**1,903**
Female	30.2%	575
Male	69.8%	1,328
Other	**81.7%**	**53,378**
Female	29.5%	15,742
Male	70.5%	37,636
Property	**7.1%**	**4,660**
Female	31.4%	1,464
Male	68.6%	3,196
Violent	**8.3%**	**5,422**
Female	21.0%	1,138
Male	79.0%	4,284
Total	**100.0%**	**65,363**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

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Table 2.11: Arrest type <u>Summons</u> by charge and gender

Charge	%	N
Drugs	**10.0%**	**8,364**
Female	25.3%	2,120
Male	74.7%	6,244
Other	**60.7%**	**50,853**
Female	27.6%	14,035
Male	72.4%	36,818
Property	**23.8%**	**19,902**
Female	45.8%	9,123
Male	54.2%	10,779
Violent	**5.5%**	**4,639**
Female	32.7%	1,515
Male	67.3%	3,124
Total	**100.0%**	**83,758**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data.

Summary: Law enforcement data. In 2015 law enforcement made/issued over 200,000 arrests/summonses. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2015, arrests/summonses for Drug offenses accounted for 8.4% of all arrests/summonses while Violent crimes accounted for 11.3% of arrests/summonses, Property offenses accounted for 15.9% of arrests/summonses, and the remainder of arrests/summonses (64.4%) fell into the Other crime category. Blacks represented 4.2% of the state population in 2015, but accounted for 12.4% of arrests/summonses. Males represent about 50% of the state population and 70-80% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

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Section Three: Court case processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.[9] County court contains both adult and juvenile misdemeanor cases. The data are presented here by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court.

Note that this analysis reflects **cases not individuals**. Individuals may have multiple, concurrent cases,[10] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent. The analysis of the 24 offense categories, summarized from more than 1500 statutes, is available on the interactive data dashboard at colorado.gov/dcj-ors/ors-SB185. See Appendix B for the list of offenses that were combined into the four broad categories. *Additionally, all offenses presented in the analysis of court data include attempts, solicitations, and conspiracies.*

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county court filing. Three hundred (300) cases were removed from the analysis because there was no gender information. Only cases with non-blank and non-error charges were selected from ICON.

Finally, it is important to understand that Judicial systematically collects race data but not ethnicity. Consequently, the Hispanic race/ethnicity category underrepresents the actual number/proportion of Hispanics because most Hispanics will be in the White category. This can be seen in Table 3.1 which shows that Whites represented 81.5% of filings in 2015 when Whites comprised 68.7% of the state population. Likewise, Table 3.1 shows Hispanics represented only 6.1% of filings while they are 22.2% of the population, and 23.3% of arrests.

Case Filings

Overall

Table 3.1 depicts race/ethnicity distribution for 105,156 case filings in county, adult district, and juvenile courts combined. While Blacks represented 4.2% of the state population and 12.4% of the arrests/summonses in 2015, they accounted for 10.5% of court filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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[9] Denver County Court is not part of the statewide Judicial data management system.

[10] This study found that in 2015, 8% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

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Table 3.1: Overall filings by race/ethnicity*

Race/ethnicity	%	N
Black	10.5%	10,046
Hispanic	6.1%	6,398
Other	2.9%	3,100
White	81.5%	85,612
Total	**101%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Combining information across the three court types, Table 3.2 shows the race/ethnicity distribution for the four crime categories. Table 3.2 shows that Drug offenses were the most serious filing charge in 12% of cases, and Violent charges comprised the largest category at 35% of charges filed. The race/ethnicity distribution is quite consistent across crime types.

Table 3.2: Most serious filing charge, by race/ethnicity*

Most serious filing charge	%	N
Drugs	**12%**	**12,923**
Black	8%	1,087
Hispanic	6%	813
Other	2%	279
White	83%	10,744
Other	**27%**	**28,091**
Black	9%	2,576
Hispanic	6%	1,567
Other	3%	904
White	82%	23,044
Property	**26%**	**27,148**
Black	10%	2,640
Hispanic	6%	1,719
Other	3%	737
White	81%	22,052
Violent	**35%**	**36,994**
Black	10%	3,743
Hispanic	6%	2,299
Other	3%	1,180
White	80%	29,772
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.3 depicts that, across all court types, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (29% compared to 25%, respectively) and slightly less to be involved in Violent offenses (33% compared to 36%, respectively).

Table 3.3: Most serious filing charge, by gender

Gender	%	N
Female	**26%**	**26,945**
Drugs	13%	3,549
Other	25%	6,743
Property	29%	7,877
Violent	33%	8,776
Male	**74%**	**78,211**
Drugs	12%	9,374
Other	27%	21,348
Property	25%	19,271
Violent	36%	28,218
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Court type

Table 3.4 breaks down race/ethnicity by the type of court. While county court had the most cases in 2015 (53% of the total), Blacks represented only 7% of cases filed compared to 11% in adult district court and 16% in juvenile court.

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Table 3.4: Court of case filing, by race/ethnicity*

Court	%	N
County	**53%**	**55,819**
Black	7%	4,142
Hispanic	6%	3,143
Other	3%	1,754
White	84%	46,780
Adult District	**39%**	**41,191**
Black	11%	4,632
Hispanic	6%	2,471
Other	3%	1,041
White	80%	33,047
Juvenile	**8%**	**8,146**
Black	16%	1,272
Hispanic	10%	784
Other	4%	305
White	71%	5,785
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.5 breaks down the type of offense by court type. Nearly half (45%) of county court cases are Violent offenses (primarily misdemeanor assault); Property offenses (32%) and Drug cases (24%) comprise the largest categories of cases in adult district court; and Property crimes (43%) make up nearly half of cases filed in juvenile court. Table 3.6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in county court (28%) compared to adult district court (23%) and juvenile court (21%).

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Table 3.5: Court of case filing, by most serious filing charge

Court	%	N
County	**53%**	**55,819**
Drugs	4%	2,509
Other	31%	17,430
Property	19%	10,613
Violent	45%	25,267
Adult District	**39%**	**41,191**
Drugs	24%	9,850
Other	22%	9,227
Property	32%	13,036
Violent	22%	9,078
Juvenile	**8%**	**8,146**
Drugs	7%	564
Other	18%	1,434
Property	43%	3,499
Violent	33%	2,649
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Table 3.6: Court of case filing, by gender

Court	%	N
County	**53%**	**55,819**
Female	28%	15,640
Male	72%	40,179
Adult District	**39%**	**41,191**
Female	23%	9,558
Male	77%	31,633
Juvenile	**8%**	**8,146**
Female	21%	1,747
Male	79%	6,399
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Trials

Table 3.7 shows how very infrequently cases in these courts completed a trial (1-2%). Table 3.8 combines information across court types and shows the number of trials completed by offense type. Cases with a Violent offense were most likely to complete a trial.

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Table 3.7: Court of case filing, by trials completed

Court	%	N
County	**53%**	**55,819**
No	99%	55,138
Yes	1%	681
Adult District	**39%**	**41,191**
No	99%	40,583
Yes	1%	608
Juvenile	**8%**	**8,146**
No	98%	8,019
Yes	2%	127
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Table 3.8: Most serious filing charge, by trials completed

Most serious filing charge	%	N
Drugs	**12%**	**12,923**
No	99%	12,853
Yes	1%	70
Other	**27%**	**28,091**
No	99%	27,810
Yes	1%	281
Property	**26%**	**27,148**
No	99%	26,965
Yes	1%	183
Violent	**35%**	**36,994**
No	98%	36,112
Yes	2%	882
Total	**100%**	**105,156**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Summary: Filings. This study of 105,156 case filings in county, district, and juvenile courts combined found that while Blacks represented 4.2% of the state population and 12.4% of the arrests/summonses in 2015, they accounted for 10.5% of court filings. In juvenile court, Blacks represented 16% of cases, compared to 5% Black juveniles in the population. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (29% compared to 25%, respectively) and slightly less to be involved in Violent offenses (33% compared to 36%, respectively). Only 1% of cases completed a trial in county and district court; 2% of juvenile court cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above

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Case Outcomes

The following three tables present the case outcomes, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2015. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in nearly one-third (31%) of cases, all charges were dismissed in county court in 2015 (Table 3.9). Also, note that the Dismissed/not guilty category means that some charges were dismissed and some were found not guilty, but this combination of events occurred in less than 1% of cases in county, district and juvenile court (Tables 3.9, 3.10, and 3.11). Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3.9 reflects county court case outcomes, showing that nearly 35% of cases were convicted as charged, and one-quarter (25.2%) were convicted of another crime. In adult district court (Table 3.10), 49.9% were convicted of another crime and one-fourth (25.3%) were convicted as charged. In juvenile court (Table 3.11), 25.7% were convicted of another offense and 40.4% were convicted as charged.

In county court (Table 3.9), case outcomes involving Violent charges were somewhat more likely to get dismissed, compared to the other crime categories. There were few differences across race/ethnicity in terms of case outcomes, except that Blacks were more likely to be involved in cases not yet resolved.

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Table 3.9: County Court outcomes by race/ethnicity* and most serious filing charge

Race/ ethnicity	N	All charges dismissed	All charges not guilty/ acquitted	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved	Total
Black	**4,142**	**33.4%**	**0.5%**	**31.2%**	**23.1%**	**0.1%**	**11.6%**	**100.0%**
Drugs	112	35.7%	0.0%	24.1%	25.0%	0.0%	15.2%	100.0%
Other	1,234	25.4%	0.3%	33.7%	27.1%	0.0%	13.5%	100.0%
Property	762	29.9%	0.0%	33.9%	20.3%	0.3%	15.6%	100.0%
Violent	2,034	39.5%	0.9%	29.1%	21.6%	0.2%	8.8%	100.0%
Hispanic	**3,143**	**30.2%**	**0.3%**	**38.2%**	**23.5%**	**0.1%**	**7.8%**	**100.0%**
Drugs	135	35.6%	0.0%	39.3%	16.3%	0.0%	8.9%	100.0%
Other	967	24.5%	0.2%	38.4%	28.2%	0.0%	8.7%	100.0%
Property	582	29.9%	0.2%	43.6%	17.0%	0.0%	9.3%	100.0%
Violent	1,459	33.6%	0.3%	35.8%	23.6%	0.1%	6.5%	100.0%
Other	**1,754**	**33.4%**	**0.5%**	**34.1%**	**22.5%**	**0.1%**	**9.5%**	**100.0%**
Drugs	68	32.4%	0.0%	38.2%	19.1%	0.0%	10.3%	100.0%
Other	591	28.8%	0.3%	37.9%	22.5%	0.0%	10.5%	100.0%
Property	298	26.8%	0.3%	42.3%	19.1%	0.3%	11.1%	100.0%
Violent	797	39.3%	0.6%	27.9%	24.1%	0.0%	8.2%	100.0%
White	**46,780**	**30.7%**	**0.4%**	**34.9%**	**25.5%**	**0.1%**	**8.3%**	**100.0%**
Drugs	2,194	32.0%	0.0%	38.7%	21.6%	0.0%	7.7%	100.0%
Other	14,638	25.7%	0.2%	37.8%	27.8%	0.1%	8.5%	100.0%
Property	8,971	28.5%	0.2%	37.1%	24.1%	0.1%	10.0%	100.0%
Violent	20,977	35.0%	0.8%	31.5%	25.0%	0.1%	7.5%	100.0%
Total	**55,819**	**31.0%**	**0.4%**	**34.8%**	**25.2%**	**0.1%**	**8.6%**	**100.0%**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.10 reflects case outcomes for district court in 2015. Thirteen percent (13%) of cases filed in district court had all charges dismissed. Cases falling into the Other race/ethnicity category were more likely to have charges dismissed, especially Other offenses. In fact, offenses falling in the Other crime category were more likely to get dismissed compared to the other offense types.

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Table 3.10: Adult District Court outcomes by race/ethnicity* and most serious filing charge

Race/ethnicity	N	All charges dismissed	All charges not guilty/ acquitted	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved	Total
Black	**4,632**	**13.2%**	**0.4%**	**25.6%**	**46.9%**	**0.1%**	**13.8%**	**100.0%**
Drugs	917	9.3%	0.0%	22.8%	59.9%	0.0%	8.1%	100.0%
Other	1,111	19.1%	0.3%	25.8%	42.1%	0.1%	12.6%	100.0%
Property	1,339	11.4%	0.1%	33.7%	39.7%	0.0%	15.1%	100.0%
Violent	1,265	12.8%	0.9%	18.8%	49.4%	0.3%	17.7%	100.0%
Hispanic	**2,471**	**10.8%**	**0.0%**	**26.3%**	**53.0%**	**0.0%**	**9.8%**	**100.0%**
Drugs	626	8.3%	0.0%	24.4%	56.9%	0.0%	10.4%	100.0%
Other	475	16.4%	0.0%	33.5%	39.8%	0.2%	10.1%	100.0%
Property	785	9.7%	0.0%	29.2%	54.0%	0.0%	7.1%	100.0%
Violent	585	10.4%	0.2%	18.6%	58.3%	0.0%	12.5%	100.0%
Other	**1,041**	**17.0%**	**0.0%**	**21.1%**	**47.7%**	**0.1%**	**14.0%**	**100.0%**
Drugs	189	11.6%	0.0%	18.5%	59.3%	0.0%	10.6%	100.0%
Other	259	31.7%	0.0%	22.0%	31.7%	0.0%	14.7%	100.0%
Property	316	10.4%	0.0%	27.2%	46.8%	0.3%	15.2%	100.0%
Violent	277	14.4%	0.0%	15.2%	56.0%	0.0%	14.4%	100.0%
White	**33,047**	**13.0%**	**0.3%**	**25.3%**	**50.2%**	**0.1%**	**11.2%**	**100.0%**
Drugs	8,118	10.3%	0.0%	23.7%	56.3%	0.0%	9.6%	100.0%
Other	7,382	19.1%	0.2%	25.5%	43.3%	0.0%	11.9%	100.0%
Property	10,596	11.4%	0.1%	30.0%	48.1%	0.0%	10.4%	100.0%
Violent	6,951	12.3%	0.8%	19.6%	53.6%	0.3%	13.5%	100.0%
Total	**41,191**	**13.0%**	**0.3%**	**25.3%**	**49.9%**	**0.1%**	**11.5%**	**100.0%**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.11 presents case outcomes for juvenile court. All charges were dismissed for 25.5% of cases filed, while 40.4% of cases were convicted as charged and 25.7% were convicted of a different crime. Blacks were somewhat less likely to be convicted as charged (33.8% compared to 40.4% overall), and Blacks were twice as likely to have a case falling into the not yet resolved category (16% compared to 8% overall).

Table 3.11: Juvenile Court outcomes by race/ethnicity* and most serious filing charge

Race/	N	All charges	All charges	Convicted	Convicted	Dismissed/	Not yet	Total

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ethnicity		dismissed	not guilty/ acquitted	as charged	other crime	not guilty	resolved	
Black	**1,272**	**24.4%**	**0.3%**	**33.8%**	**25.2%**	**0.2%**	**16.0%**	**100.0%**
Drugs	58	27.6%	0.0%	36.2%	31.0%	0.0%	5.2%	100.0%
Other	231	26.8%	0.0%	37.7%	20.8%	0.0%	14.7%	100.0%
Property	539	24.7%	0.4%	34.7%	22.1%	0.2%	18.0%	100.0%
Violent	444	22.5%	0.5%	30.4%	30.6%	0.2%	15.8%	100.0%
Hispanic	**784**	**13.5%**	**0.0%**	**43.8%**	**37.1%**	**0.1%**	**5.5%**	**100.0%**
Drugs	52	5.8%	0.0%	38.5%	51.9%	0.0%	3.8%	100.0%
Other	125	16.8%	0.0%	56.0%	21.6%	0.0%	5.6%	100.0%
Property	352	11.1%	0.0%	48.0%	36.1%	0.0%	4.8%	100.0%
Violent	255	16.9%	0.0%	32.9%	43.1%	0.4%	6.7%	100.0%
Other	**305**	**25.2%**	**0.0%**	**40.3%**	**23.3%**	**0.0%**	**11.1%**	**100.0%**
Drugs	22	27.3%	0.0%	36.4%	27.3%	0.0%	9.1%	100.0%
Other	54	40.7%	0.0%	20.4%	20.4%	0.0%	18.5%	100.0%
Property	123	22.8%	0.0%	44.7%	26.0%	0.0%	6.5%	100.0%
Violent	106	19.8%	0.0%	46.2%	20.8%	0.0%	13.2%	100.0%
White	**5,785**	**27.4%**	**0.4%**	**41.4%**	**24.4%**	**0.1%**	**6.4%**	**100.0%**
Drugs	432	28.2%	0.2%	42.8%	24.3%	0.0%	4.4%	100.0%
Other	1,024	33.4%	0.3%	43.4%	17.7%	0.1%	5.2%	100.0%
Property	2,485	27.1%	0.2%	42.8%	24.4%	0.0%	5.4%	100.0%
Violent	1,844	24.2%	0.7%	38.1%	28.1%	0.1%	8.8%	100.0%
Total	**8,146**	**25.5%**	**0.3%**	**40.4%**	**25.7%**	**0.1%**	**8.0%**	**100.0%**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Judicial systematically collects race but not ethnicity; most Hispanics are in the White category.

Summary: Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 31.0% of cases in county court were dismissed, as were 13.0% of cases in district court and 25.5% of cases in juvenile court. One-third (34.8%) of county court cases were convicted as charged compared to 25.3% in district court and 40.4% in juvenile court. Another one-third (34.8%) of county court cases were convicted of a different charge, as were half (49.9%) of district court cases, and 25.3% of juvenile court cases. Black youth in juvenile court were somewhat less likely to be convicted as charged (33.8% compared to 40.4% overall), and were twice as likely to have a case falling into the not yet resolved category (16% compared to 8% overall).

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Initial Sentences

The tables below show cases sentenced between Jan 1, 2015 and Dec 31, 2015, first in county court, then district court, and finally juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Corrections (DYC) will not match the number reported as admissions by DOC.

Cases generally have multiple initial sentences, usually include fines, and can also include community service and credit for time served. The data below reflect the <u>most serious initial sentence</u>. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

Initial sentences can be later modified, such as when jail is added as part of a probation revocation. When probation sentences also include a jail sentence, the probation sentence is counted as the initial sentence because it is longer than the jail sentence. Probation/Intensive Supervision includes electronic monitoring. Gender was missing for 114 cases; these cases were removed from analysis.

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, as previously mentioned, in 2015, 18% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

Also, please note that the crime categories include attempts, solicitations, and conspiracy offenses.

Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

County court

Table 3.12 presents the initial sentence for each of the four offense types for county court cases. County court Drug cases resulted in a fine in 58.2% of cases, and community service for 13.0% of cases. Deferred judgments occurred for one-quarter of Property (25.1%) and Violent (25.7%) crime cases, 18.2% of Other cases, and 12.9% for Drug cases. Almost half (44.1%) of Violent cases received an initial sentence to probation.

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Table 3.12: Initial Sentence for County Court, by most serious conviction charge (N=33,444)

Initial Sentence	Drugs %	Drugs N	Other %	Other N	Property %	Property N	Violent %	Violent N
Community Corrections	0.0%	0	<1%	4	0.0%	0	<1%	3
Community Service	13.0%	192	4.5%	605	5.4%	372	0.6%	68
Credit for Time Served	3.3%	49	4.0%	534	4.4%	300	2.1%	249
Deferred	12.9%	191	18.2%	2,429	25.1%	1,726	25.7%	3,018
Dept of Corrections*	0.0%	0	<1%	2	<1%	2	<1%	4
Fines	58.2%	859	22.1%	2,944	13.1%	901	4.3%	500
Jail	3.9%	57	16.9%	2,249	18.5%	1,271	15.7%	1,841
Probation/Intensive Supervision	6.3%	93	27.1%	3,611	16.8%	1,158	44.1%	5,183
Unsupervised Probation	2.4%	35	7.2%	958	16.6%	1,143	7.6%	897
Total	**100.0%**	**1,476**	**100.0%**	**13,336**	**100.0%**	**6,873**	**100.0%**	**11,759**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Offenders had additional cases in adult district court.

Table 3.13 reflects initial county court sentences by gender. Women were significantly more likely than men to receive a deferred judgment in county court (30.6% compared to 18.8%, respectively). Men were more likely than women to receive a jail sentence (18.3% for men compared to 10.4% for women), and men were more likely to be granted an initial sentence to probation (31.7% compared to 25.5% for women).

Table 3.13: Initial Sentence for County Court, by gender (N=33,444)

Initial Sentence	Female %	Female N	Male %	Male N
Community Corrections	<1%	2	<1%	5
Community Service	4.4%	402	3.4%	835
Credit for Time Served	2.9%	261	3.6%	871
Deferred	30.6%	2,765	18.8%	4,599
Dept of Corrections*	0.0%	0	<1%	4
Fines	16.5%	1,493	15.2%	3,711
Jail	10.4%	942	18.3%	4,476
Probation/Intensive Supervision	25.5%	2,304	31.7%	7,741
Unsupervised Probation	9.6%	870	8.9%	2,163
Total	**100.0%**	**9,039**	**100.0%**	**24,405**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Offenders had additional cases in adult district court.

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Table 3.14 presents the initial sentence in county court by race/ethnicity. Those in the Other race/ethnicity category were more likely to receive a deferred judgment (30.8% compared to 21% for other race/ethnicities), and Blacks were more likely to receive jail time (20.1% compared to 16-17% for other race/ethnicity categories).

Table 3.14: Initial Sentence for County Court by race/ethnicity* (N=33,444)

	Black		Hispanic		Other		White	
Initial Sentence	%	N	%	N	%	N	%	N
Community Corrections	<1%	1	<1%	1	0.0%	0	<1%	5
Community Service	2.7%	62	3.0%	61	2.8%	26	3.9%	1,088
Credit for Time Served	3.9%	88	1.7%	34	3.1%	29	3.5%	981
Deferred	21.0%	477	21.7%	441	30.8%	290	21.8%	6,156
Dept of Corrections[+]	0.0%	0	<1%	2	0.0%	0	<1%	2
Fines	12.6%	286	12.9%	262	14.7%	138	16.0%	4,518
Jail	20.1%	456	16.4%	333	17.0%	160	15.8%	4,469
Probation/Intensive Supervision	28.8%	654	32.5%	661	23.8%	224	30.2%	8,506
Unsupervised Probation	10.8%	246	11.6%	236	7.9%	74	8.8%	2,477
Total	100.0%	2,270	100.0%	2,031	100.0%	941	100.0%	28,202

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.
[+]Offenders had additional cases in adult district court.

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3.15 shows initial sentences for county court Drug cases. Blacks were less likely to receive a deferred judgment than those in the other race/ethnicity categories, more likely to receive a Jail sentence, and slightly more likely—along with those in the Other category—to receive a fine.

Table 3.15: Initial Sentence for Drugs as most serious conviction charge in County Court, by race/ethnicity* (N=1,476)

Initial Sentence	Black	Hispanic	Other	White
N	65	68	38	1,305
Community Service	7.7%	16.2%	2.6%	13.4%
Credit for Time Served	1.5%	1.5%	0.0%	3.6%
Deferred	9.2%	13.2%	21.1%	12.9%
Fines	66.2%	52.9%	65.8%	57.9%
Jail	6.2%	2.9%	2.6%	3.8%
Probation/Intensive Supervision	6.2%	8.8%	7.9%	6.1%
Unsupervised Probation	3.1%	4.4%	0.0%	2.3%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.16 shows that, for those with Other as the most serious county court conviction charge, Blacks were more likely to receive a Jail sentence and somewhat less likely to receive a deferred judgment. Table 3.17 provides information on the initial sentence for county court Property offenses and Table 3.18 depicts the initial sentence for Violent offenses in county court.

Table 3.16: Initial Sentence for <u>Other</u> offense as most serious conviction charge in <u>County Court</u>, by race/ethnicity* (N=13,336)

Initial Sentence	Black	Hispanic	Other	White
N	888	768	374	11,306
Community Corrections	0.0%	0.1%	0.0%	0.0%
Community Service	4.1%	3.8%	2.7%	4.7%
Credit for Time Served	4.7%	2.0%	4.0%	4.1%
Deferred	15.2%	16.1%	28.3%	18.3%
Dept of Corrections[+]	0.0%	0.0%	0.0%	<1.0%
Fines	17.0%	18.9%	19.8%	22.8%
Jail	22.3%	19.1%	14.2%	16.4%
Probation/Intensive Supervision	28.5%	29.6%	20.6%	27.0%
Unsupervised Probation	8.2%	10.4%	10.4%	6.8%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.
[+]Offenders had additional cases in adult district court.

Table 3.17: Initial Sentence for <u>Property</u> as most serious conviction charge in <u>County Court</u>, by race/ethnicity* (N=6,873)

Initial Sentence	Black	Hispanic	Other	White
N	443	430	188	5,812
Community Service	4.1%	4.4%	6.4%	5.6%
Credit for Time Served	3.8%	1.9%	4.3%	4.6%
Deferred	28.0%	24.0%	31.9%	24.8%
Dept of Corrections[+]	0.0%	0.5%	0.0%	0.0%
Fines	11.5%	12.6%	12.8%	13.3%
Jail	19.2%	16.7%	23.4%	18.4%
Probation/Intensive Supervision	13.1%	17.4%	13.8%	17.2%
Unsupervised Probation	20.3%	22.6%	7.4%	16.2%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.
*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.
[+]Offenders had additional cases in adult district court.

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Table 3.18: Initial Sentence for <u>Violent</u> as most serious conviction charge in <u>County Court</u>, by race/ethnicity* (N=11,759)

Initial Sentence	Black	Hispanic	Other	White
N	**874**	**765**	**341**	**9,779**
Community Corrections	0.1%	0.0%	0.0%	0.0%
Community Service	0.3%	0.3%	0.9%	0.6%
Credit for Time Served	3.2%	1.3%	1.8%	2.1%
Deferred	24.3%	26.8%	34.0%	25.4%
Fines	4.7%	3.5%	4.4%	4.3%
Jail	19.3%	14.6%	18.2%	15.3%
Probation/Intensive Supervision	38.8%	46.1%	34.6%	44.7%
Unsupervised Probation	9.3%	7.3%	6.2%	7.6%
Total	**100.0%**	**100.0%**	**100.0%**	**100.0%**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

District court

Table 3.19 shows the initial sentence by offense type for district court cases. Probation was the most frequently occurring initial sentence, happening two-thirds (65.7%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 11.4% of Drug cases, 29.9% of Other cases, 14.3% of Property cases, and 23.2% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 10.5% of cases (3369/31981) and were most likely to be imposed in Property cases (14.9%), and least likely to be imposed in Drug cases (6.2%).

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Table 3.19: Initial Sentence for Adult District Court, by most serious conviction charge (N=31,981)

Initial Sentence	Drugs %	Drugs N	Other %	Other N	Property %	Property N	Violent %	Violent N
Community Corrections	4.6%	368	4.5%	282	6.7%	717	3.6%	243
Community Service	0.4%	29	0.4%	23	0.3%	27	0.1%	5
Credit for Time Served	0.8%	61	1.0%	66	0.6%	68	0.4%	26
Deferred	6.2%	498	8.7%	548	14.9%	1,608	10.5%	715
Dept of Corrections	11.4%	923	29.9%	1,882	14.3%	1,543	23.2%	1,585
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	<1%	1
Fines	1.3%	102	2.3%	142	1.4%	150	0.7%	45
Jail	7.3%	588	11.0%	689	6.9%	743	7.8%	533
Probation/Intensive Supervision	65.7%	5,306	38.7%	2,433	50.6%	5,455	50.5%	3,451
Unsupervised Probation	2.4%	197	3.5%	222	4.3%	460	2.6%	180
Youthful Offender System	<1%	1	0.1%	5	0.1%	7	0.8%	54
Total	**100.0%**	**8,073**	**100.0%**	**6,292**	**100.0%**	**10,778**	**100.0%**	**6,838**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

Table 3.20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (15.4% versus 9.0%, respectively), and more likely to be granted probation (59.2% compared to 49.8% for men). Women were less likely to receive a jail sentence (5.2%) compared to men (8.9%), and also less likely to receive a prison sentence compared to men (9.5% compared to 21.4%).

Table 3.20: Initial Sentence for Adult District Court, by gender (N=31,981)

Initial Sentence	Female %	Female N	Male %	Male N
Community Corrections	4.3%	329	5.2%	1,281
Community Service	0.3%	25	0.2%	59
Credit for Time Served	0.5%	39	0.7%	182
Deferred	15.4%	1,167	9.0%	2,202
Dept of Corrections	9.5%	723	21.4%	5,210
Division of Youth Corrections	<1%	1	0.0%	0
Fines	1.7%	127	1.3%	312
Jail	5.2%	393	8.9%	2,160
Probation/Intensive Supervision	59.2%	4,490	49.8%	12,155
Unsupervised Probation	3.7%	283	3.2%	776
Youthful Offender System	<1%	3	0.3%	64
Total	**100.0%**	**7,580**	**100.0%**	**24,401**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

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Table 3.21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. Nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups.

Table 3.21: Initial Sentence for <u>Adult District Court</u>, by race/ethnicity* (N=31,981)

	Black		Hispanic		Other		White	
Initial Sentence	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**
Community Corrections	4.8%	174	3.4%	73	3.0%	23	5.3%	1,340
Community Service	0.1%	4	0.1%	3	0.5%	4	0.3%	73
Credit for Time Served	0.6%	22	0.2%	5	0.6%	5	0.7%	189
Deferred	9.0%	329	10.8%	229	13.0%	101	10.7%	2,710
Dept of Corrections	24.9%	909	16.9%	359	19.6%	152	17.7%	4,513
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	<1%	1
Fines	1.3%	48	0.7%	14	1.4%	11	1.4%	366
Jail	8.3%	304	7.5%	159	7.1%	55	8.0%	2,035
Probation/Intensive Supervision	47.1%	1,720	58.0%	1,229	50.8%	393	52.3%	13,303
Unsupervised Probation	3.6%	131	2.0%	43	3.2%	25	3.4%	860
Youthful Offender System	0.4%	13	0.2%	5	0.6%	5	0.2%	44
Total	**100.0%**	**3,654**	**100.0%**	**2,119**	**100.0%**	**774**	**100.0%**	**25,434**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3.22 shows the sentences cases received for Drug offenses. Blacks were more likely than the other race/ethnicity categories to receive sentences of confinement (community corrections, Department of Corrections and Jail) and less likely to receive probation or a deferred judgment for Drug offenses. This pattern is repeated for Other offenses (Table 3.23) and Violent offenses (Table 3.25), but not Property convictions (Table 3.24).

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Table 3.22: Initial Sentence for <u>Drugs</u> as most serious conviction charge in <u>Adult District Court</u>, by race/ethnicity* (N=8,073)

Initial Sentence	Black	Hispanic	Other	White
N	825	550	132	6,566
Community Corrections	5.0%	3.3%	1.5%	4.7%
Community Service	0.1%	0.0%	1.5%	0.4%
Credit for Time Served	1.0%	0.0%	0.0%	0.8%
Deferred	3.9%	5.6%	6.1%	6.5%
Dept of Corrections	15.0%	17.6%	13.6%	10.4%
Fines	1.3%	0.4%	1.5%	1.3%
Jail	9.7%	5.1%	7.6%	7.2%
Probation/Intensive Supervision	61.5%	66.5%	66.7%	66.2%
Unsupervised Probation	2.5%	1.3%	1.5%	2.5%
Youthful Offender System	0.0%	0.2%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.23: Initial Sentence for <u>Other</u> as most serious conviction charge in <u>Adult District Court</u>, by race/ethnicity* (N=6,292)

Initial Sentence	Black	Hispanic	Other	White
N	808	391	174	4,919
Community Corrections	3.5%	3.3%	4.0%	4.8%
Community Service	0.4%	0.3%	1.1%	0.3%
Credit for Time Served	0.5%	0.8%	0.6%	1.2%
Deferred	7.9%	10.2%	13.8%	8.5%
Dept of Corrections	38.2%	23.3%	25.3%	29.2%
Fines	2.1%	1.3%	1.7%	2.4%
Jail	11.4%	9.5%	8.6%	11.1%
Probation/Intensive Supervision	32.4%	48.8%	42.0%	38.8%
Unsupervised Probation	3.2%	2.6%	2.9%	3.7%
Youthful Offender System	0.4%	0.0%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.24: Initial Sentence for <u>Property</u> as most serious conviction charge in <u>Adult District Court</u>, by race/ethnicity* (N=10,778)

Initial Sentence	Black	Hispanic	Other	White
N	1,071	692	234	8,781
Community Corrections	6.3%	4.5%	4.7%	6.9%
Community Service	0.0%	0.3%	0.0%	0.3%
Credit for Time Served	0.7%	0.1%	1.3%	0.6%
Deferred	15.7%	15.8%	18.4%	14.7%
Dept of Corrections	15.9%	9.7%	14.5%	14.5%
Fines	1.6%	0.4%	2.1%	1.4%
Jail	5.7%	7.1%	6.8%	7.0%
Probation/Intensive Supervision	48.8%	59.1%	47.4%	50.2%
Unsupervised Probation	5.1%	3.0%	4.7%	4.2%
Youthful Offender System	0.3%	0.0%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.25: Initial Sentence for <u>Violent</u> as most serious conviction charge in <u>Adult District Court</u>, by race/ethnicity* (N=6,838)

Initial Sentence	Black	Hispanic	Other	White
N	950	486	234	5,168
Community Corrections	4.0%	2.3%	1.3%	3.7%
Community Service	0.0%	0.0%	0.0%	0.1%
Credit for Time Served	0.3%	0.2%	0.4%	0.4%
Deferred	6.8%	10.1%	11.1%	11.1%
Dept of Corrections	32.2%	21.4%	23.9%	21.7%
Division of Youth Corrections	0.0%	0.0%	0.0%	<1%
Fines	0.3%	0.8%	0.4%	0.7%
Jail	7.5%	9.3%	6.0%	7.8%
Probation/Intensive Supervision	45.1%	54.1%	51.7%	51.1%
Unsupervised Probation	3.1%	1.0%	3.0%	2.7%
Youthful Offender System	0.7%	0.8%	2.1%	0.7%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Juvenile court

Table 3.26 below reflects the initial sentence for juvenile court cases, by crime type. As with county and district court, initial sentences to Probation were the most frequently occurring sentence: approximately half (2609/5338, 48.9%) of initial sentences were to Probation, while 33.9% of cases were granted a deferred judgment (1809/5338). Drug cases were slightly more likely than other offenses to receive a deferred judgment (39.0%) in juvenile court. Initial sentences to the Division of Youth Corrections were more likely for Violent and Other cases.

Table 3.26: Initial Sentence for Juvenile Court, by most serious conviction charge (N=5,338)

	Drugs		Other		Property		Violent	
Initial Sentence	%	N	%	N	%	N	%	N
Community Corrections	0.0%	0	0.1%	1	0.0%	0	0.1%	1
Community Service	0.3%	1	1.4%	13	0.9%	21	0.2%	3
Credit for Time Served	0.0%	0	0.1%	1	0.0%	1	0.1%	1
Deferred	39.0%	150	30.1%	289	33.2%	783	35.9%	587
Dept of Corrections*	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Division of Youth Corrections	4.9%	19	11.5%	110	8.7%	206	11.7%	191
Fines	7.8%	30	4.1%	39	2.4%	56	1.0%	17
Jail	2.3%	9	1.6%	15	1.9%	46	0.8%	13
Juvenile Detention	1.6%	6	2.4%	23	1.2%	29	0.7%	12
Probation/Intensive Supervision	42.9%	165	47.5%	456	50.4%	1,188	48.9%	800
Unsupervised Probation	1.3%	5	1.3%	12	1.2%	29	0.3%	5
Youthful Offender System	0.0%	0	0.0%	0	0.0%	0	0.2%	4
Total	**100.0%**	**385**	**100.0%**	**959**	**100.0%**	**2,359**	**100.0%**	**1,635**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.
*Felony menacing with a weapon. Offender was 18 on filing date.

Table 3.27 reflects the initial juvenile court sentence by race/ethnicity. Across race/ethnicity categories, Blacks were considerably less likely to receive a deferred judgment (16%) and more likely to receive an initial sentence to the Division of Youth Corrections (13.4%). Table 3.28 shows juvenile court initial sentences by gender. Compared to males, females were more likely to receive a deferred judgment and less likely to receive a sentence to the Division of Youth Corrections.

Table 3.27: Initial Sentence for Juvenile Court by race/ethnicity* (N=5,338)

	Black		Hispanic		Other		White	
Initial Sentence	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**
Community Corrections	0.0%	0	0.0%	0	0.5%	1	0.0%	1
Community Service	0.4%	3	0.9%	6	0.9%	2	0.7%	27
Credit for Time Served	0.0%	0	0.2%	1	0.0%	0	0.1%	2
Deferred	16.0%	124	25.8%	169	40.2%	88	38.7%	1,428
Dept of Corrections[+]	0.1%	1	0.0%	0	0.0%	0	0.0%	0
Division of Youth Corrections	13.4%	104	9.6%	63	8.7%	19	9.2%	340
Fines	1.9%	15	2.1%	14	3.2%	7	2.9%	106
Jail	2.6%	20	2.8%	18	1.8%	4	1.1%	41
Juvenile Detention	1.3%	10	0.6%	4	1.8%	4	1.4%	52
Probation/Intensive Supervision	63.2%	489	56.9%	372	42.0%	92	44.9%	1,656
Unsupervised Probation	0.9%	7	0.8%	5	0.9%	2	1.0%	37
Youthful Offender System	0.1%	1	0.3%	2	0.0%		0.0%	1
Total	**100.0%**	**774**	**100.0%**	**654**	**100.0%**	**219**	**100.0%**	**3,691**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

[+]Felony menacing with a weapon. Offender was 18 on filing date.

Table 3.28: Initial Sentence for Juvenile Court, by gender (N=5,338)

	Female		Male	
Initial Sentence	**%**	**N**	**%**	**N**
Community Corrections	0.0%	0	0.0%	2
Community Service	0.7%	8	0.7%	30
Credit for Time Served	0.0%	0	0.1%	3
Deferred	41.4%	454	32.0%	1,355
Dept of Corrections	0.0%	0	0.0%	1
Division of Youth Corrections	4.8%	53	11.2%	473
Fines	2.4%	26	2.7%	116
Jail	0.8%	9	1.7%	74
Juvenile Detention	1.2%	13	1.3%	57
Probation/Intensive Supervision	47.0%	516	49.4%	2,093
Unsupervised Probation	1.6%	18	0.8%	33
Youthful Offender System	0.0%	0	0.1%	4
Total	**100.0%**	**1,097**	**100.0%**	**4,241**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

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The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases can be quite small for some sentences; in these cases the findings should be interpreted with caution. Table 3.29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property offenses, and Violent crimes. For each of these crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment. Additionally, compared to the other race/ethnicity categories, Blacks were much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses.

Table 3.29: Initial Sentence for <u>Drugs</u> as most serious conviction charge in <u>Juvenile Court</u>, by race/ethnicity* (N=385)

Initial Sentence	Black	Hispanic	Other	White
N	45	42	16	282
Community Service	2.2%	0.0%	0.0%	0.0%
Deferred	15.6%	38.1%	56.3%	41.8%
Division of Youth Corrections	13.3%	2.4%	0.0%	4.3%
Fines	4.4%	4.8%	6.3%	8.9%
Jail	2.2%	4.8%	0.0%	2.1%
Juvenile Detention	0.0%	2.4%	0.0%	1.8%
Probation/Intensive Supervision	60.0%	47.6%	37.5%	39.7%
Unsupervised Probation	2.2%	0.0%	0.0%	1.4%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.30: Initial Sentence for <u>Other</u> as most serious conviction charge in <u>Juvenile Court</u>, by race/ethnicity* (N=959)

Initial Sentence	Black	Hispanic	Other	White
N	132	108	34	685
Community Corrections	0.0%	0.0%	2.9%	0.0%
Community Service	0.0%	2.8%	0.0%	1.5%
Credit for Time Served	0.0%	0.9%	0.0%	0.0%
Deferred	13.6%	24.1%	32.4%	34.2%
Division of Youth Corrections	21.2%	6.5%	8.8%	10.5%
Fines	1.5%	3.7%	5.9%	4.5%
Jail	2.3%	0.9%	0.0%	1.6%
Juvenile Detention	4.5%	0.0%	0.0%	2.5%
Probation/Intensive Supervision	53.8%	60.2%	47.1%	44.4%
Unsupervised Probation	3.0%	0.9%	2.9%	0.9%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.31: Initial Sentence for <u>Property</u> as most serious conviction charge in <u>Juvenile Court</u>, by race/ethnicity* (N=2,359)

Initial Sentence	Black	Hispanic	Other	White
N	341	315	98	1,605
Community Service	0.6%	1.0%	2.0%	0.9%
Credit for Time Served	0.0%	0.0%	0.0%	0.1%
Deferred	17.9%	25.7%	36.7%	37.7%
Division of Youth Corrections	8.5%	9.5%	7.1%	8.7%
Fines	2.1%	2.2%	3.1%	2.4%
Jail	3.8%	3.8%	4.1%	1.1%
Juvenile Detention	0.9%	0.6%	3.1%	1.3%
Probation/Intensive Supervision	65.7%	55.9%	42.9%	46.5%
Unsupervised Probation	0.6%	1.3%	1.0%	1.4%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.32: Initial Sentence for <u>Violent</u> as most serious conviction charge in <u>Juvenile Court</u>, by race/ethnicity* (N=1,635)

Initial Sentence	Black	Hispanic	Other	White
N	256	189	71	1,119
Community Corrections	0.0%	0.0%	0.0%	0.1%
Community Service	0.0%	0.0%	0.0%	0.3%
Credit for Time Served	0.0%	0.0%	0.0%	0.1%
Deferred	14.8%	24.3%	45.1%	42.1%
Dept of Corrections[+]	0.4%	0.0%	0.0%	0.0%
Division of Youth Corrections	16.0%	13.2%	12.7%	10.4%
Fines	1.6%	0.5%	1.4%	1.0%
Jail	1.2%	1.6%	0.0%	0.6%
Juvenile Detention	0.4%	0.5%	1.4%	0.8%
Probation/Intensive Supervision	65.2%	58.7%	39.4%	44.1%
Unsupervised Probation	0.0%	0.0%	0.0%	0.4%
Youthful Offender System	0.4%	1.1%	0.0%	0.1%
Total	100.0%	100.0%	100.0%	100.0%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.
[+]Felony menacing with a weapon. Offender was 18 on filing date.

Summary: Initial sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, in 2015, 18% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

Women were significantly more likely than men to receive a deferred judgment in county court (30.6% compared to 18.8%, respectively). Men were more likely than women to receive a jail sentence (18.3% for men compared to 10.4% for women), and men were more likely to be granted an initial sentence to probation (31.7% compared to 25.5% for women) in county court. County court cases showed the least variation, compared to adult district and juvenile court, across race/ethnicity groups.

In district court, Probation was the most frequently occurring initial sentence, happening two-thirds (65.7%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 11.4% of Drug cases, 29.9% of Other cases, 14.3% of Property cases, and 23.2% of Violent cases received a sentence to the Department of Corrections. Nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups. Deferred judgments were initially granted in 10.5% of district court cases overall, and were most likely to be imposed in Property cases (14.9%) and least likely to be imposed in Drug cases

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(6.2%). Overall in district court, Blacks were more likely than the other race/ethnicity categories to receive initial sentences of confinement (community corrections, Department of Corrections and jail) and less likely to receive probation or a deferred judgment for Drug, Other, and Violent offenses.

As with county and district court, initial sentences to probation were the most frequently occurring sentence in juvenile court: approximately half (48.9%) of initial sentences were to probation, while 33.9% of cases were granted a deferred judgment. Drug cases were slightly more likely than other offenses to receive a deferred judgment (39.0%) in juvenile court. Initial sentences to the Division of Youth Corrections were more likely for Violent and Other cases. Across race/ethnicity categories, Blacks in juvenile court were considerably less likely to receive a deferred judgment and more likely to receive an initial sentence to the Division of Youth Corrections. For each of the four crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment and much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses (this finding did not hold for Property offenses). Finally, compared to males, females were more likely to receive a deferred judgment and less likely to receive a sentence to the Division of Youth Corrections.

Revocations

Cases sentenced in 2015 to probation or a deferred judgment that received a revocation are included in the analyses presented here.[11] Those sentenced near the end of 2015 may not have had enough time to get revoked. **Note that these are cases, not individuals** and, as previously mentioned, 8% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2015, 22% of adult state probation terminations were the result of a revocation.[12] The revocations presented here may not result in termination from probation supervision. In fact, in 2015, across county, adult district, and juvenile district courts, 51% of cases were reinstated, 40% were not reinstated, and for the remaining 9% of cases it was unclear the outcome of the revocation.

The next series of tables shows revocations in county court, then district court, and finally juvenile court.

County court

Table 3.33 shows revocation information for county court. Overall, 22.0% of cases receiving a probation/deferred judgment in 2015 were revoked. Blacks were slightly more likely to be revoked compared to the overall revocation rate (24.2% compared to 22.0% overall). Blacks were least likely to be revoked when the most serious crime was Drugs (however, because of the small number of cases in this category, this information should be interpreted with caution), and most likely to be revoked if they were sentenced for a Violent offense. In fact, across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories.

Table 3.34 reflects county court revocations by gender. Overall, females in county court were less likely to get revoked than males (18.5% compared to 23.4%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked

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[11] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.
[12] *Judicial Branch Annual Statistical Report, Fiscal Year 2015*, Table 48, page 122.

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(27.4%) whereas males with drug crimes were least likely to be revoked (15.6%). Compared with the other offense types, men with Violent cases were most likely to get revoked (28.2%).

Table 3.33: Revocations from Probation/Deferred in <u>County Court</u>, by race/ethnicity* and most serious conviction charge

	Revoked					
	No		Yes		Total	
Race/ethnicity	%	N	%	N	%	N
Black	**75.8%**	**857**	**24.2%**	**274**	**100.0%**	**1,131**
Drugs	90.0%	9	10.0%	1	100.0%	10
Other	78.1%	303	21.9%	85	100.0%	388
Property	77.5%	141	22.5%	41	100.0%	182
Violent	73.3%	404	26.7%	147	100.0%	551
Hispanic	**76.6%**	**844**	**23.4%**	**258**	**100.0%**	**1,102**
Drugs	80.0%	12	20.0%	3	100.0%	15
Other	84.0%	295	16.0%	56	100.0%	351
Property	78.7%	140	21.3%	38	100.0%	178
Violent	71.1%	397	28.9%	161	100.0%	558
Other	**79.8%**	**410**	**20.2%**	**104**	**100.0%**	**514**
Drugs	90.9%	10	9.1%	1	100.0%	11
Other	88.0%	161	12.0%	22	100.0%	183
Property	77.9%	67	22.1%	19	100.0%	86
Violent	73.5%	172	26.5%	62	100.0%	234
White	**78.2%**	**11,472**	**21.8%**	**3,190**	**100.0%**	**14,662**
Drugs	80.6%	200	19.4%	48	100.0%	248
Other	83.9%	4,292	16.1%	826	100.0%	5,118
Property	77.1%	1,880	22.9%	558	100.0%	2,438
Violent	74.4%	5,100	25.6%	1,758	100.0%	6,858
Total	**78.0%**	**13,583**	**22.0%**	**3,826**	**100.0%**	**17,409**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

Table 3.34: Revocation from Probation/Deferred in <u>County Court</u>, by gender and most serious conviction charge

Gender	No		Yes		Total	
	%	**N**	**%**	**N**	**%**	**N**
Female	**81.5%**	**4,133**	**18.5%**	**936**	**100.0%**	**5,069**
Drugs	72.6%	53	27.4%	20	100.0%	73
Other	86.3%	1,458	13.7%	232	100.0%	1,690
Property	78.0%	799	22.0%	225	100.0%	1,024
Violent	79.9%	1,823	20.1%	459	100.0%	2,282
Male	**76.6%**	**9,450**	**23.4%**	**2,890**	**100.0%**	**12,340**
Drugs	84.4%	178	15.6%	33	100.0%	211
Other	82.6%	3,593	17.4%	757	100.0%	4,350
Property	76.8%	1,429	23.2%	431	100.0%	1,860
Violent	71.8%	4,250	28.2%	1,669	100.0%	5,919
Total	**78.0%**	**13,583**	**22.0%**	**3,826**	**100.0%**	**17,409**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. Excludes Denver County Court cases.

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (33.3%, Table 3.35) compared to county court (22.0%, Table 3.33) in 2015. Blacks with Violent offenses were more likely to be revoked (28.4%) than those in the other race/ethnicity categories with Violent cases. Table 3.36 shows that women in adult district court were very slightly more likely than men to get revoked (34.3% compared to 32.9%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked (43.2% compared to 41.0%, respectively).

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Table 3.35: Revocations from Probation/Deferred in <u>Adult District Court</u>, by race/ethnicity* and most serious conviction charge

	Revoked				Total	
	No		**Yes**			
Race/ethnicity	**%**	**N**	**%**	**N**	**%**	**N**
Black	**67.6%**	**1,385**	**32.4%**	**664**	**100.0%**	**2,049**
Drugs	59.7%	322	40.3%	217	100.0%	539
Other	75.5%	246	24.5%	80	100.0%	326
Property	67.1%	464	32.9%	227	100.0%	691
Violent	71.6%	353	28.4%	140	100.0%	493
Hispanic	**68.5%**	**999**	**31.5%**	**459**	**100.0%**	**1,458**
Drugs	63.0%	250	37.0%	147	100.0%	397
Other	72.3%	167	27.7%	64	100.0%	231
Property	65.6%	340	34.4%	178	100.0%	518
Violent	77.6%	242	22.4%	70	100.0%	312
Other	**75.1%**	**371**	**24.9%**	**123**	**100.0%**	**494**
Drugs	64.6%	62	35.4%	34	100.0%	96
Other	76.3%	74	23.7%	23	100.0%	97
Property	79.9%	123	20.1%	31	100.0%	154
Violent	76.2%	112	23.8%	35	100.0%	147
White	**66.2%**	**10,598**	**33.8%**	**5,415**	**100.0%**	**16,013**
Drugs	57.6%	2,749	42.4%	2,023	100.0%	4,772
Other	72.9%	1,697	27.1%	630	100.0%	2,327
Property	65.4%	3,727	34.6%	1,973	100.0%	5,700
Violent	75.5%	2,425	24.5%	789	100.0%	3,214
Total	**66.7%**	**13,353**	**33.3%**	**6,661**	**100.0%**	**20,014**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.36: Revocations from Probation/Deferred in <u>Adult District Court</u>, by gender and most serious conviction charge

	Revoked					
	No		**Yes**		**Total**	
Gender	**%**	**N**	**%**	**N**	**%**	**N**
Female	**65.7%**	**3,716**	**34.3%**	**1,941**	**100.0%**	**5,657**
Drugs	56.8%	1,068	43.2%	813	100.0%	1,881
Other	71.2%	503	28.8%	203	100.0%	706
Property	69.0%	1,584	31.0%	712	100.0%	2,296
Violent	72.5%	561	27.5%	213	100.0%	774
Male	**67.1%**	**9,637**	**32.9%**	**4,720**	**100.0%**	**14,357**
Drugs	59.0%	2,315	41.0%	1,608	100.0%	3,923
Other	73.9%	1,681	26.1%	594	100.0%	2,275
Property	64.4%	3,070	35.6%	1,697	100.0%	4,767
Violent	75.8%	2,571	24.2%	821	100.0%	3,392
Total	**66.7%**	**13,353**	**33.3%**	**6,661**	**100.0%**	**20,014**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

Juvenile Court

In juvenile court, 31.5% of cases sentenced to probation/deferred judgment in 2015 were revoked (Table 3.37). Blacks were most likely to be revoked for Drug offenses and Other crimes (both 38.2%) and least likely to be revoked for Violent offenses (28.8%). Those few (n=15) individuals in the Other race/ethnicity group with Drug cases were revoked at a rate of 53.3% but this information should be interpreted with caution given the low number of cases. Table 3.38 presents revocations in juvenile court by gender. Females were revoked at a rate of 24.7% compared to 33.4% for males. Comparing across crime types, females with Property crimes were most likely to be revoked (29.4%) and males with Drug cases were most likely to be revoked (36.7%).

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Table 3.37: Revocations from Probation/Deferred in Juvenile Court, by race/ethnicity* and most serious conviction crime

| | Revoked | | | | | |
| | No | | Yes | | Total | |
Race/ethnicity	%	N	%	N	%	N
Black	**66.1%**	**405**	**33.9%**	**208**	**100.0%**	**613**
Drugs	61.8%	21	38.2%	13	100.0%	34
Other	61.8%	55	38.2%	34	100.0%	89
Property	64.2%	183	35.8%	102	100.0%	285
Violent	71.2%	146	28.8%	59	100.0%	205
Hispanic	**64.7%**	**350**	**35.3%**	**191**	**100.0%**	**541**
Drugs	75.0%	27	25.0%	9	100.0%	36
Other	65.9%	60	34.1%	31	100.0%	91
Property	61.1%	157	38.9%	100	100.0%	257
Violent	67.5%	106	32.5%	51	100.0%	157
Other	**76.7%**	**138**	**23.3%**	**42**	**100.0%**	**180**
Drugs	46.7%	7	53.3%	8	100.0%	15
Other	85.2%	23	14.8%	4	100.0%	27
Property	75.6%	59	24.4%	19	100.0%	78
Violent	81.7%	49	18.3%	11	100.0%	60
White	**69.2%**	**2,135**	**30.8%**	**949**	**100.0%**	**3,084**
Drugs	67.8%	156	32.2%	74	100.0%	230
Other	68.2%	367	31.8%	171	100.0%	538
Property	65.1%	879	34.9%	472	100.0%	1,351
Violent	76.0%	733	24.0%	232	100.0%	965
Total	**68.5%**	**3,028**	**31.5%**	**1,390**	**100.0%**	**4,418**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

*Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited.

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Table 3.38: Revocations from Probation/Deferred in Juvenile Court, by gender and most serious conviction charge

| | Revoked | | | | | |
| | No | | Yes | | Total | |
Gender	%	N	%	N	%	N
Female	**75.3%**	**730**	**24.7%**	**240**	**100.0%**	**970**
Drugs	81.4%	57	18.6%	13	100.0%	70
Other	78.4%	131	21.6%	36	100.0%	167
Property	70.6%	290	29.4%	121	100.0%	411
Violent	78.3%	252	21.7%	70	100.0%	322
Male	**66.6%**	**2,298**	**33.4%**	**1,150**	**100.0%**	**3,448**
Drugs	62.9%	154	37.1%	91	100.0%	245
Other	64.7%	374	35.3%	204	100.0%	578
Property	63.3%	988	36.7%	572	100.0%	1,560
Violent	73.4%	782	26.6%	283	100.0%	1,065
Total	**68.5%**	**3,028**	**31.5%**	**1,390**	**100.0%**	**4,418**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals.

Summary: Revocations. Cases sentenced in 2015 to probation or a deferred judgment that received a revocation are included in the analyses presented here. **Note that these are cases, not individuals** and, as previously mentioned, 8% of county court cases, 35% of district court cases, and 36% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. The revocation information, therefore, should be interpreted with caution.

In addition, not all revocations result in termination from supervision. In 2015, across all court types and for those with a probation or a deferred judgment sentence, 51% of cases with a revocation were reinstated, 40% were not reinstated, and for the remaining 9% the outcome was unclear.

Overall, 22.0% of county court cases receiving a probation/deferred judgment in 2015 were revoked. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Females in county court were less likely to get revoked than males (18.5% compared to 23.4%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked (27.4%) whereas males with drug crimes were least likely to be revoked (15.6%). Compared with the other offense types, men with Violent cases were most likely to get revoked (28.2%) in county court. In district court, 33.3% of cases were revoked. Drug cases across race/ethnicity groups, compared to the other offense categories, were the most likely to be revoked. Blacks with Drug cases were revoked at a rate of 40.3%. Blacks with Violent offenses were more likely to be revoked (28.4%) than those in the other race/ethnicity categories with Violent cases. Women in adult district court were slightly more likely than men to get revoked (34.3% compared to 32.9%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked (43.2% compared to 41.0%, respectively). In juvenile court, 31.5% of cases sentenced to probation/deferred

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judgment in 2015 were revoked. Blacks were most likely to be revoked for Drug offenses and Other crimes (both 38.2%) and least likely to be revoked for Violent offenses (28.8%). Females were revoked at a rate of 24.7% compared to 33.4% for males. Comparing across crime types, females with Property crimes were most likely to be revoked (29.4%) and males with Drug cases were most likely to be revoked (36.7%).

Court data summary: In 2015, Blacks represented 4.2% of the state population but accounted for 10.5% of adult district court filings, and 20.9% of cases sentenced. In juvenile court, Blacks represented 16% of cases, compared to 5% of Black juveniles in the population.

In county court only, there were few differences in the initial sentence across race/ethnicity. However, in adult district court, nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups. Overall in district court, Blacks were more likely than the other race/ethnicity categories to receive initial sentences of confinement (community corrections, Department of Corrections and jail) and less likely to receive probation or a deferred judgment for Drug, Other, and Violent offenses.

In juvenile court, for each of the four crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment and much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses (this finding did not hold for Property offenses).

In terms of revocations, 33.3% of adult district court cases that had an initial sentence to probation/deferred were revoked. Across race/ethnicity groups, Drug cases compared to the other offense categories, were the most likely to be revoked. Blacks with Drug cases were revoked at a rate of 40.3%. Blacks with Violent offenses were more likely to be revoked (28.4%) than those in the other race/ethnicity categories with Violent cases. In juvenile court, 31.5% of cases sentenced to probation/deferred judgment in 2015 were revoked. Blacks were most likely to be revoked for Drug offenses and Other crimes (both 38.2%) and least likely to be revoked for Violent offenses (28.8%).

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Section Four: Colorado State Parole Board Decisions

The following tables were provided by the Colorado Department of Corrections' Office of Planning and Analysis. The data include race/ethnicity and gender information for 14,326 final decisions made by the Parole Board in calendar year 2015. As shown in Table 4.1, nearly half (48.3%) of decisions involved Whites, 16.5% involved Blacks, 31.4% involved Hispanics, less than 1% involved Asians, and 3.1% involved Native Americans. Table 4.2 shows that women were involved in 11.6% of decisions.

Table 4.1: Parole Board hearings by race/ethnicity, CY 2015

	N	%
White	6,915	48.3
Black	2,367	16.5
Hispanic	4,492	31.4
Asian	113	0.8
Native American	439	3.1
Total	14,326	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Table 4.2: Parole Board hearings by gender, CY2015

	N	%
Male	12,660	88.4
Female	1,666	11.6
Total	14,326	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Table 4.3 reflects the race/ethnicity distribution for those who were granted discretionary parole. This group was released on parole prior to reaching their mandatory release date. This is a relatively small group, comprising 20.6% 2,952/14,326) of release decisions. Whites were more likely to be granted discretionary parole release (54.2% compared to 48.3% of overall hearings) along with Asians (1.0% compared to 0.8%), while Blacks, Hispanics and Native Americans were less likely to be granted discretionary parole. In terms of gender (Table 4.4), women were more likely to receive discretionary parole (15.6% versus 11.6% of total hearings) compared to men.

Table 4.3: Discretionary parole by race/ethnicity, CY2015

	N	%
White	1,599	54.2
Black	434	14.7
Hispanic	821	27.8
Asian	30	1.0
Native American	67	2.3
Total	2,951	100.0

Data Source: Colorado Department of Corrections, Parole Board.

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Table 4.4: Discretionary parole by gender, CY2015

	N	%
Male	2,492	84.4
Female	459	15.6
Total	2,951	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Individuals who reach their mandatory release date have served their prison sentence in its entirety and are automatically released to parole. These are individuals who have been denied discretionary parole by the Parole Board. That is, the "decision" made by the Parole Board regarding mandatory release is in the fact that parole was denied until the mandatory release date. Tables 4.5 and 4.6 show little difference in the race/ethnicity and gender distributions when compared to decisions overall (Tables 4.1 and 4.2).

Table 4.5: Mandatory release by race/ethnicity, CY2015

	N	%
White	1,541	46.7
Black	537	16.3
Hispanic	1,087	32.9
Asian	20	0.6
Native American	115	3.5
Total	3,300	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Table 4.6: Mandatory release by gender, CY2015

	N	%
Male	2,886	87.5
Female	414	12.5
Total	3,300	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Individuals who are revoked from parole are required by statute to serve 90 or 180 days[13] of incarceration before they are automatically paroled again if they have not met their statutory discharge date. These are referred to as mandatory re-paroles and these occur automatically and do not involve a decision by the Parole Board. Tables 4.7 and 4.8, when compared with the information in Tables 4.1 and 4.2, show very little variation across race/ethnicity groups and gender.

Table 4.7: Mandatory re-parole by race/ethnicity, CY2015

	N	%
White	100	50.3
Black	33	16.6
Hispanic	61	30.7
Asian	0	0.0
Native American	5	2.5
Total	199	100.0

Data Source: Colorado Department of Corrections, Parole Board.

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[13] Revocation cases that involve use of a weapon can be revoked for up to one year.

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Table 4.8. Mandatory re-parole by gender, CY2015

	N	%
Male	175	87.9
Female	24	12.1
Total	199	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Tables 4.9 reflects decisions in which parole was denied by the Parole Board, by race/ethnicity. There is very little difference in the race/ethnicity distribution compared to the overall distribution presented in Table 4.1. However, as shown in Table 4.10, women were slightly less likely and men were slightly more likely to be denied parole when compared with the overall distribution in Table 4.2.

Table 4.9: Parole denied by race/ethnicity, CY2015

	N	%
White	3,675	46.7
Black	1,363	17.3
Hispanic	2,523	32.0
Asian	63	0.8
Native American	252	3.2
Total	7,876	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Table 4.10: Parole denied by gender, CY2015

	#	%
Male	7,107	90.2
Female	769	9.8
Total	7,876	100.0

Data Source: Colorado Department of Corrections, Parole Board.

Summary. Some of the tables above do not reflect Parole Board decisions since mandatory releases are required by statute. Of greatest interest is the discretionary release decision along with those denied parole. Whites were more likely to be granted discretionary parole release (54.2% compared to 48.3% of overall hearings) along with Asians (1.0% compared to 0.8%), while Blacks, Hispanics and Native Americans were less likely to be granted discretionary parole. In terms of gender (Table 4.4), women were more likely to receive discretionary parole (15.6% versus 11.6% of total hearings) compared to men. There is very little difference in the race/ethnicity distribution for those denied parole when compared to the overall distribution presented in Table 4.1. In terms of gender, women were slightly less likely and men were slightly more likely to be denied parole when compared with the overall distribution shown in Table 4.2.

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Section Five: Additional Information

Initial sentences with concurrent cases and criminal history

Decision making related to any given case can be significantly affected by both the presence of additional, concurrent cases, and also prior cases (criminal history). To better understand the sentencing information presented in Section 2, additional analyses were undertaken in an attempt to account for circumstances that involve concurrent cases and (separately) prior court cases. To the extent that differential sentences were granted across race/ethnicity, these analyses allow for the examination of the impact of concurrent or prior cases may have on those decisions. Specifically, concurrent cases and prior history in county[14] and district court were examined for adult district court initial sentences overall, and for Violent offenses. Concurrent and prior history is also examined for cases overall in juvenile court. This section begins with information from adult district court, and this is followed by juvenile court data.

Initial sentences with concurrent cases: Adult district court

Concurrent cases include any mention of another case in the reported case. This includes case numbers appearing in concurrent or consecutive sentences, trailing cases, or mention of another case number in the minute orders. Case numbers are found by looking for a specific pattern that case numbers follow. Concurrent cases will be missed when there is not mention of them, or when they do not follow the expected pattern.

Table 5.1 shows the initial sentence in adult district court by race/ethnicity and none, 1-2, or more than 2 concurrent cases. Blacks were more likely than other race/ethnicity categories to have concurrent cases: While overall one-third (35.0%) of district court cases had other, concurrent cases mentioned in minute orders or sentencing notes, 40.7% of Blacks had concurrent cases. Among those with *no* concurrent cases, Blacks were still slightly less likely to receive a deferred judgment and slightly more likely receive a sentence to jail or the Department of Corrections. Those with 1-2 concurrent cases were more likely than other race/ethnicity categories to be sentenced to the Department of Corrections, a finding that holds for those with more than 2 concurrent cases.

Table 5.2 narrows the focus to Violent cases in adult district court. Holding constant the presence of concurrent cases for Violent offenses, Blacks with *no* concurrent cases were less likely to be granted a deferred judgment and more likely to receive a sentence to the Department of Corrections, compared with other race/ethnicity groups. Blacks *with* concurrent cases were more likely than other race/ethnicity groups to receive a prison sentence.

Table 5.1: Initial Sentence in Adult District Court, by concurrent cases and race/ethnicity* (n=31,981)

	Black		Hispanic		Other		White	
Count of concurrent cases	%	N	%	N	%	N	%	N
None	**59.3%**	**2,166**	**69.5%**	**1,472**	**68.3%**	**529**	**63.7%**	**16,205**
Community Corrections	3.0%	66	2.4%	36	2.3%	12	3.8%	616
Community Service	0.1%	3	0.2%	3	0.8%	4	0.4%	68
Credit for Time Served	0.9%	20	0.3%	5	0.8%	4	1.0%	170
Deferred	12.1%	262	13.5%	199	16.4%	87	14.1%	2,289
Dept of Corrections	15.3%	331	13.5%	198	14.4%	76	11.6%	1,881

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	%		%		%		%	
Fines	1.8%	39	0.9%	13	1.9%	10	2.0%	327
Jail	8.2%	177	6.9%	102	6.2%	33	7.7%	1,250
Probation/Intensive Supervision	53.7%	1,163	60.1%	884	52.9%	280	54.8%	8,888
Unsupervised Probation	4.5%	98	2.0%	30	4.2%	22	4.3%	696
Youthful Offender System	0.3%	7	0.1%	2	0.2%	1	0.1%	20
1-2	**31.7%**	**1,158**	**24.4%**	**516**	**26.7%**	**207**	**29.1%**	**7,393**
Community Corrections	7.0%	81	4.8%	25	3.4%	7	7.5%	552
Community Service	0.0%	0	0.0%	0	0.0%	0	0.1%	5
Credit for Time Served	0.2%	2	0.0%	0	0.5%	1	0.2%	18
Deferred	5.0%	58	5.0%	26	6.8%	14	5.1%	380
Dept of Corrections	35.5%	411	22.9%	118	30.4%	63	24.2%	1,786
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	<1%	1
Fines	0.6%	7	0.0%	0	0.5%	1	0.5%	35
Jail	9.1%	105	9.5%	49	8.7%	18	8.7%	646
Probation/Intensive Supervision	39.7%	460	55.2%	285	47.3%	98	51.4%	3,799
Unsupervised Probation	2.6%	30	2.1%	11	1.4%	3	2.1%	152
Youthful Offender System	0.3%	4	0.4%	2	1.0%	2	0.3%	19
>2	**9.0%**	**330**	**6.2%**	**131**	**4.9%**	**38**	**7.2%**	**1,836**
Community Corrections	8.2%	27	9.2%	12	10.5%	4	9.4%	172
Community Service	0.3%	1	0.0%	0	0.0%	0	0.0%	0
Credit for Time Served	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Deferred	2.7%	9	3.1%	4	0.0%	0	2.2%	41
Dept of Corrections	50.6%	167	32.8%	43	34.2%	13	46.1%	846
Fines	0.6%	2	0.8%	1	0.0%	0	0.2%	4
Jail	6.7%	22	6.1%	8	10.5%	4	7.6%	139
Probation/Intensive Supervision	29.4%	97	45.8%	60	39.5%	15	33.6%	616
Unsupervised Probation	0.9%	3	1.5%	2	0.0%	0	0.7%	12
Youthful Offender System	0.6%	2	0.8%	1	5.3%	2	0.3%	5
Total	**100.0%**	**3,654**	**100.0%**	**2,119**	**100.0%**	**774**	**100.0%**	**25,434**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

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Table 5.2: Initial Sentence for <u>Violent</u> as most serious charge in <u>Adult District Court</u>, by concurrent cases and race/ethnicity* (N=6,838)

Count of concurrent cases	Black %	Black N	Hispanic %	Hispanic N	Other %	Other N	White %	White N
None	**66.5%**	**632**	**73.5%**	**357**	**72.2%**	**169**	**73.5%**	**3,800**
Community Corrections	2.5%	16	2.5%	9	1.8%	3	3.3%	127
Community Service	0.0%	0	0.0%	0	0.0%	0	0.1%	5
Credit for Time Served	0.3%	2	0.3%	1	0.6%	1	0.5%	19
Deferred	8.2%	52	12.3%	44	12.4%	21	13.2%	503
Dept of Corrections	26.1%	165	17.6%	63	21.3%	36	18.9%	717
Fines	0.5%	3	1.1%	4	0.6%	1	0.8%	30
Jail	6.6%	42	6.4%	23	4.7%	8	6.4%	244
Probation/Intensive Supervision	51.7%	327	58.3%	208	53.8%	91	53.1%	2,018
Unsupervised Probation	3.5%	22	0.8%	3	4.1%	7	3.2%	121
Youthful Offender System	0.5%	3	0.6%	2	0.6%	1	0.4%	16
1-2	**27.1%**	**257**	**22.0%**	**107**	**24.8%**	**58**	**22.0%**	**1,139**
Community Corrections	6.6%	17	1.9%	2	0.0%	0	4.5%	51
Credit for Time Served	0.4%	1	0.0%	0	0.0%	0	0.1%	1
Deferred	4.3%	11	3.7%	4	8.6%	5	5.8%	66
Dept of Corrections	43.6%	112	29.9%	32	31.0%	18	26.5%	302
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Fines	0.0%	0	0.0%	0	0.0%	0	0.5%	6
Jail	7.8%	20	17.8%	19	10.3%	6	11.0%	125
Probation/Intensive Supervision	33.9%	87	44.9%	48	46.6%	27	48.6%	554
Unsupervised Probation	2.3%	6	0.9%	1	0.0%	0	1.4%	16
Youthful Offender System	1.2%	3	0.9%	1	3.4%	2	1.5%	17
>2	**6.4%**	**61**	**4.5%**	**22**	**3.0%**	**7**	**4.4%**	**229**
Community Corrections	8.2%	5	0.0%	0	0.0%	0	5.7%	13
Credit for Time Served	0.0%	0	0.0%	0	0.0%	0	0.4%	1
Deferred	3.3%	2	4.5%	1	0.0%	0	2.6%	6
Dept of Corrections	47.5%	29	40.9%	9	28.6%	2	43.7%	100
Fines	0.0%	0	0.0%	0	0.0%	0	0.4%	1
Jail	14.8%	9	13.6%	3	0.0%	0	14.8%	34
Probation/Intensive Supervision	23.0%	14	31.8%	7	42.9%	3	29.3%	67
Unsupervised Probation	1.6%	1	4.5%	1	0.0%	0	0.9%	2
Youthful Offender System	1.6%	1	4.5%	1	28.6%	2	2.2%	5
Total	**100.0%**	**950**	**100.0%**	**486**	**100.0%**	**234**	**100.0%**	**5,168**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

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Initial sentences with prior cases: Adult district court

Prior cases included any filing--but not necessarily conviction--in county, adult district or juvenile court filed prior to the reported case. Prior cases are found using name, date of birth and State Identification Number (SID) if it exists. Matching may not retrieve all existing cases, and concurrent cases and prior cases may be counting the same cases. A prior case may not show up in concurrent if it was closed in the distant past. Similarly, a case may count in the concurrent category but not as a prior, if it was filed after the case being reported.

Table 5.3 shows that most cases have prior cases: 80.4% of Blacks had prior cases, as did 78.3% of Whites. Across all categories of prior cases (none, 1-4, 5-9, more than 9), and across race/ethnicity categories, Blacks were somewhat less likely to receive a deferred judgment and more likely to receive a sentence to the Department of Corrections. Table 5.4 shows the initial sentence for Violent offenses, by race/ethnicity, controlling for prior cases. Again, Blacks when compared to other race/ethnicity groups, are less likely to receive a deferred judgment and more likely to receive a sentence to the Department of Corrections.

Table 5.3: Initial Sentence in <u>Adult District Court</u>, by prior cases, race/ethnicity* (N=31,981)

	Black		Hispanic		Other		White	
Count of prior cases	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**
None	**19.6%**	**717**	**27.9%**	**591**	**34.2%**	**265**	**21.7%**	**5,521**
Community Corrections	1.7%	12	0.3%	2	0.4%	1	1.5%	83
Community Service	0.3%	2	0.3%	2	1.1%	3	0.6%	31
Credit for Time Served	0.3%	2	0.2%	1	0.8%	2	0.5%	26
Deferred	22.2%	159	19.5%	115	23.8%	63	24.6%	1,360
Dept of Corrections	9.6%	69	11.8%	70	9.8%	26	7.6%	419
Fines	1.5%	11	0.8%	5	1.9%	5	2.3%	125
Jail	3.9%	28	2.2%	13	5.7%	15	4.3%	235
Probation/Intensive Supervision	54.7%	392	61.8%	365	52.8%	140	53.3%	2,941
Unsupervised Probation	5.7%	41	2.9%	17	3.4%	9	5.4%	296
Youthful Offender System	0.1%	1	0.2%	1	0.4%	1	0.1%	5
1-4	**35.6%**	**1,299**	**36.3%**	**769**	**33.5%**	**259**	**37.1%**	**9,442**
Community Corrections	4.5%	59	3.0%	23	3.5%	9	3.6%	339
Community Service	0.0%	0	0.0%	0	0.4%	1	0.3%	25
Credit for Time Served	0.8%	10	0.0%	0	0.0%	0	0.6%	59
Deferred	10.2%	132	11.2%	86	10.8%	28	11.2%	1,059
Dept of Corrections	18.2%	237	10.5%	81	14.3%	37	10.3%	974
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	0.0%	1
Fines	1.8%	24	1.2%	9	1.5%	4	1.5%	137
Jail	5.9%	77	4.7%	36	6.2%	16	6.3%	595
Probation/Intensive Supervision	54.5%	708	67.0%	515	60.6%	157	62.3%	5,882

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	%	N	%	N	%	N	%	N
Unsupervised Probation	3.7%	48	2.5%	19	2.7%	7	3.7%	348
Youthful Offender System	0.3%	4	0.0%	0	0.0%	0	0.2%	23
5-9	**27.0%**	**986**	**20.3%**	**430**	**18.0%**	**139**	**23.4%**	**5,960**
Community Corrections	5.4%	53	7.0%	30	4.3%	6	8.4%	501
Community Service	0.1%	1	0.2%	1	0.0%	0	0.2%	9
Credit for Time Served	0.8%	8	0.2%	1	1.4%	2	0.9%	53
Deferred	3.0%	30	5.1%	22	4.3%	6	3.8%	228
Dept of Corrections	32.3%	318	21.6%	93	33.1%	46	22.4%	1,336
Fines	0.7%	7	0.0%	0	0.7%	1	1.1%	65
Jail	11.7%	115	11.4%	49	9.4%	13	10.1%	601
Probation/Intensive Supervision	42.0%	414	52.6%	226	42.4%	59	50.8%	3,029
Unsupervised Probation	3.5%	35	0.9%	4	2.9%	4	2.1%	124
Youthful Offender System	0.5%	5	0.9%	4	1.4%	2	0.2%	14
>9	**17.8%**	**652**	**15.5%**	**329**	**14.3%**	**111**	**17.7%**	**4,511**
Community Corrections	7.7%	50	5.5%	18	6.3%	7	9.2%	417
Community Service	0.2%	1	0.0%	0	0.0%	0	0.2%	8
Credit for Time Served	0.3%	2	0.9%	3	0.9%	1	1.1%	51
Deferred	1.2%	8	1.8%	6	3.6%	4	1.4%	63
Dept of Corrections	43.7%	285	35.0%	115	38.7%	43	39.5%	1,784
Fines	0.9%	6	0.0%	0	0.9%	1	0.9%	39
Jail	12.9%	84	18.5%	61	9.9%	11	13.4%	604
Probation/Intensive Supervision	31.6%	206	37.4%	123	33.3%	37	32.2%	1,451
Unsupervised Probation	1.1%	7	0.9%	3	4.5%	5	2.0%	92
Youthful Offender System	0.5%	3	0.0%	0	1.8%	2	0.0%	2
Total	**100.0%**	**3,654**	**100.0%**	**2,119**	**100.0%**	**774**	**100.0%**	**25,434**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

Table 5.4: Initial Sentence for <u>Violent</u> as most serious charge in <u>Adult District Court</u>, by prior cases and race/ethnicity* (N=6,838)

	Black		Hispanic		Other		White	
Count of prior cases	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**
None	**23.4%**	**222**	**31.9%**	**155**	**41.0%**	**96**	**29.9%**	**1,543**
Community Corrections	2.7%	6	1.3%	2	1.0%	1	1.6%	24
Community Service	0.0%	0	0.0%	0	0.0%	0	0.3%	4
Credit for Time Served	0.5%	1	0.0%	0	0.0%	0	0.2%	3
Deferred	13.5%	30	14.2%	22	16.7%	16	21.1%	326
Dept of Corrections	17.6%	39	17.4%	27	18.8%	18	15.2%	235
Fines	0.0%	0	1.3%	2	1.0%	1	0.5%	8
Jail	2.7%	6	1.9%	3	5.2%	5	2.9%	44

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Probation/Intensive Supervision	59.0%	131	62.6%	97	53.1%	51	54.5%	841
Unsupervised Probation	4.1%	9	0.6%	1	3.1%	3	3.5%	54
Youthful Offender System	0.0%	0	0.6%	1	1.0%	1	0.3%	4
1-4	**37.3%**	**354**	**34.0%**	**165**	**32.1%**	**75**	**36.7%**	**1,897**
Community Corrections	4.5%	16	3.0%	5	1.3%	1	3.5%	67
Community Service	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Credit for Time Served	0.6%	2	0.0%	0	0.0%	0	0.3%	5
Deferred	7.6%	27	13.9%	23	9.3%	7	10.6%	201
Dept of Corrections	29.1%	103	16.4%	27	20.0%	15	16.9%	320
Division of Youth Corrections	0.0%	0	0.0%	0	0.0%	0	0.1%	1
Fines	0.8%	3	1.2%	2	0.0%	0	0.8%	16
Jail	6.2%	22	6.1%	10	6.7%	5	6.2%	118
Probation/Intensive Supervision	48.3%	171	57.0%	94	61.3%	46	57.8%	1,096
Unsupervised Probation	2.3%	8	2.4%	4	1.3%	1	2.7%	52
Youthful Offender System	0.6%	2	0.0%	0	0.0%	0	1.1%	20
5-9	**24.3%**	**231**	**19.3%**	**94**	**16.2%**	**38**	**19.1%**	**989**
Community Corrections	3.9%	9	3.2%	3	2.6%	1	5.6%	55
Credit for Time Served	0.0%	0	0.0%	0	0.0%	0	0.5%	5
Deferred	2.6%	6	4.3%	4	2.6%	1	3.9%	39
Dept of Corrections	42.9%	99	24.5%	23	31.6%	12	27.0%	267
Fines	0.0%	0	0.0%	0	0.0%	0	0.9%	9
Jail	9.1%	21	12.8%	12	7.9%	3	10.9%	108
Probation/Intensive Supervision	35.9%	83	52.1%	49	47.4%	18	48.4%	479
Unsupervised Probation	4.3%	10	0.0%	0	2.6%	1	1.5%	15
Youthful Offender System	1.3%	3	3.2%	3	5.3%	2	1.2%	12
>9	**15.1%**	**143**	**14.8%**	**72**	**10.7%**	**25**	**14.3%**	**739**
Community Corrections	4.9%	7	1.4%	1	0.0%	0	6.1%	45
Credit for Time Served	0.0%	0	1.4%	1	4.0%	1	1.1%	8
Deferred	1.4%	2	0.0%	0	8.0%	2	1.2%	9
Dept of Corrections	45.5%	65	37.5%	27	44.0%	11	40.2%	297
Fines	0.0%	0	0.0%	0	0.0%	0	0.5%	4
Jail	15.4%	22	27.8%	20	4.0%	1	18.0%	133
Probation/Intensive Supervision	30.1%	43	31.9%	23	24.0%	6	30.2%	223
Unsupervised Probation	1.4%	2	0.0%	0	8.0%	2	2.4%	18
Youthful Offender System	1.4%	2	0.0%	0	8.0%	2	0.3%	2
Total	**100.0%**	**950**	**100.0%**	**486**	**100.0%**	**234**	**100.0%**	**5,168**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

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Initial sentences with concurrent cases: Juvenile court

Table 5.5 shows the initial sentence in juvenile court by race/ethnicity, and holds constant the number of concurrent cases. Nearly half (46.5%) of Blacks in juvenile court had a concurrent cases, a higher proportion compared to other race/ethnicity groups. Nevertheless, among the group that had *no* concurrent cases, Black youth were considerably less likely to be granted a deferred judgment and more likely to be granted Probation. Among the group that had 1-2 concurrent cases, Blacks were much less likely to be granted a deferred judgment and much more likely, compared to the other race/ethnicity groups, to be sentenced to the Division of Youth Corrections. Among cases with more than two concurrent cases (approximately 5.5%), Blacks were less likely to be deferred but also less likely to be sentenced to the Division of Youth Corrections, and more likely to be sentenced to probation, compared to the other race/ethnicity groups.

Table 5.5: Initial Sentence in Juvenile Court, by concurrent cases and race/ethnicity* (N=5,338)

	Black		Hispanic		Other		White	
Count of concurrent cases	%	N	%	N	%	N	%	N
None	**53.5%**	**414**	**72.5%**	**474**	**67.1%**	**147**	**63.0%**	**2,325**
Community Corrections	0.0%	0	0.0%	0	0.0%	0	0.0%	1
Community Service	0.7%	3	1.3%	6	0.7%	1	0.7%	17
Credit for Time Served	0.0%	0	0.2%	1	0.0%	0	0.1%	2
Deferred	22.0%	91	30.4%	144	52.4%	77	47.5%	1,105
Dept of Corrections	0.2%	1	0.0%	0	0.0%	0	0.0%	0
Division of Youth Corrections	5.8%	24	5.1%	24	3.4%	5	4.3%	99
Fines	3.1%	13	2.1%	10	3.4%	5	3.5%	81
Jail	1.7%	7	1.9%	9	2.0%	3	1.0%	23
Juvenile Detention	1.2%	5	0.6%	3	1.4%	2	1.4%	33
Probation/Intensive Supervision	63.8%	264	57.6%	273	35.4%	52	40.1%	932
Unsupervised Probation	1.4%	6	0.8%	4	1.4%	2	1.3%	31
Youthful Offender System	0.0%	0	0.0%	0	0.0%	0	0.0%	1
1-2	**34.8%**	**269**	**21.1%**	**138**	**25.6%**	**56**	**29.1%**	**1,074**
Community Service	0.0%	0	0.0%	0	0.0%	0	0.9%	10
Deferred	8.9%	24	17.4%	24	14.3%	8	25.9%	278
Division of Youth Corrections	20.4%	55	12.3%	17	12.5%	7	12.6%	135
Fines	0.7%	2	2.2%	3	3.6%	2	2.1%	23
Jail	3.3%	9	5.1%	7	1.8%	1	1.5%	16
Juvenile Detention	1.9%	5	0.7%	1	1.8%	1	1.4%	15
Probation/Intensive Supervision	63.9%	172	61.6%	85	66.1%	37	55.1%	592
Unsupervised Probation	0.4%	1	0.7%	1	0.0%	0	0.5%	5
Youthful Offender System	0.4%	1	0.0%	0	0.0%	0	0.0%	0
>2	**11.8%**	**91**	**6.4%**	**42**	**7.3%**	**16**	**7.9%**	**292**
Community Corrections	0.0%	0	0.0%	0	6.3%	1	0.0%	0

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Community Service	0.0%	0	0.0%	0	6.3%	1	0.0%	0
Deferred	9.9%	9	2.4%	1	18.8%	3	15.4%	45
Division of Youth Corrections	27.5%	25	52.4%	22	43.8%	7	36.3%	106
Fines	0.0%	0	2.4%	1	0.0%	0	0.7%	2
Jail	4.4%	4	4.8%	2	0.0%	0	0.7%	2
Juvenile Detention	0.0%	0	0.0%	0	6.3%	1	1.4%	4
Probation/Intensive Supervision	58.2%	53	33.3%	14	18.8%	3	45.2%	132
Unsupervised Probation	0.0%	0	0.0%	0	0.0%	0	0.3%	1
Youthful Offender System	0.0%	0	4.8%	2	0.0%	0	0.0%	0
Total	**100.0%**	**774**	**100.0%**	**654**	**100.0%**	**219**	**100.0%**	**3,691**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

Initial sentences with prior cases: Juvenile court

Prior cases included any filing--but not necessarily conviction--in county, adult district or juvenile court filed prior to the reported case. Prior cases are found using name, date of birth and State Identification Number (SID) if it exists. Matching may not retrieve all existing cases, and concurrent cases and prior cases may be counting the same cases. A prior case may not show up in concurrent if it was closed in the distant past. Similarly, a case may count in the concurrent category but not as a prior, if it was filed after the case being reported.

As shown in Table 5.6, almost three-fourths (71.1%) of Black youth in juvenile court had prior court cases, a higher proportion compared to other race/ethnicity groups. Nevertheless, among those with *no* prior cases, 30.4% of Blacks were granted a deferred judgment compared to 43.8%-60.2% of the other race/ethnicity groups. In addition, Blacks were much more likely to receive a probation sentence compared to the other race/ethnicity groups. Among those with 1-5 prior court cases, Blacks were considerably less likely to receive a deferred judgment and somewhat more likely to be sentenced to the Division of Youth Corrections.

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Table 5.6: Initial Sentence in Juvenile Court, by prior cases and race/ethnicity (N=5,338)

	Black		Hispanic		Other		White	
Count of prior cases	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**
None	**28.9%**	**224**	**43.0%**	**281**	**47.0%**	**103**	**41.3%**	**1,526**
Community Service	0.4%	1	2.1%	6	1.0%	1	0.5%	8
Credit for Time Served	0.0%	0	0.0%	0	0.0%	0	0.1%	2
Deferred	30.4%	68	43.8%	123	60.2%	62	59.3%	905
Division of Youth Corrections	2.2%	5	1.8%	5	1.0%	1	1.4%	21
Fines	2.7%	6	1.8%	5	1.9%	2	3.0%	46
Jail	2.7%	6	0.0%	0	1.0%	1	0.4%	6
Juvenile Detention	2.2%	5	0.4%	1	1.9%	2	1.4%	21
Probation/Intensive Supervision	57.6%	129	49.5%	139	31.1%	32	32.4%	495
Unsupervised Probation	1.3%	3	0.7%	2	1.9%	2	1.4%	22
Youthful Offender System	0.4%	1	0.0%	0	0.0%	0	0.0%	0
1-2	**34.8%**	**269**	**31.8%**	**208**	**32.9%**	**72**	**33.8%**	**1,246**
Community Service	0.7%	2	0.0%	0	0.0%	0	1.2%	15
Credit for Time Served	0.0%	0	0.5%	1	0.0%	0	0.0%	0
Deferred	15.2%	41	17.3%	36	33.3%	24	34.8%	434
Division of Youth Corrections	7.4%	20	7.7%	16	5.6%	4	5.9%	74
Fines	1.5%	4	2.9%	6	6.9%	5	2.5%	31
Jail	3.0%	8	2.4%	5	2.8%	2	1.4%	17
Juvenile Detention	0.7%	2	1.0%	2	0.0%	0	1.2%	15
Probation/Intensive Supervision	70.6%	190	66.8%	139	51.4%	37	52.1%	649
Unsupervised Probation	0.7%	2	1.0%	2	0.0%	0	0.8%	10
Youthful Offender System	0.0%	0	0.5%	1	0.0%	0	0.1%	1
3-5	**24.3%**	**188**	**16.4%**	**107**	**14.2%**	**31**	**16.9%**	**622**
Community Corrections	0.0%	0	0.0%	0	0.0%	0	0.2%	1
Community Service	0.0%	0	0.0%	0	3.2%	1	0.6%	4
Deferred	7.4%	14	8.4%	9	3.2%	1	12.7%	79
Dept of Corrections	0.5%	1	0.0%	0	0.0%	0	0.0%	0
Division of Youth Corrections	21.8%	41	17.8%	19	22.6%	7	19.0%	118
Fines	2.7%	5	0.9%	1	0.0%	0	2.3%	14
Jail	1.1%	2	8.4%	9	3.2%	1	1.4%	9
Juvenile Detention	1.6%	3	0.0%	0	6.5%	2	1.6%	10
Probation/Intensive Supervision	63.8%	120	63.6%	68	61.3%	19	62.1%	386
Unsupervised Probation	1.1%	2	0.0%	0	0.0%	0	0.2%	1
Youthful Offender System	0.0%	0	0.9%	1	0.0%	0	0.0%	0
>5	**12.0%**	**93**	**8.9%**	**58**	**5.9%**	**13**	**8.0%**	**297**
Community Corrections	0.0%	0	0.0%	0	7.7%	1	0.0%	0
Deferred	1.1%	1	1.7%	1	7.7%	1	3.4%	10

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Division of Youth Corrections	40.9%	38	39.7%	23	53.8%	7	42.8%	127
Fines	0.0%	0	3.4%	2	0.0%	0	5.1%	15
Jail	4.3%	4	6.9%	4	0.0%	0	3.0%	9
Juvenile Detention	0.0%	0	1.7%	1	0.0%	0	2.0%	6
Probation/Intensive Supervision	53.8%	50	44.8%	26	30.8%	4	42.4%	126
Unsupervised Probation	0.0%	0	1.7%	1	0.0%	0	1.3%	4
Total	**100.0%**	**774**	**100.0%**	**654**	**100.0%**	**219**	**100.0%**	**3,691**

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Judicial systematically collects race but not ethnicity; most Hispanics are in the White category. As a result, the ability to accurately interpret this data is limited. Excludes Denver County Court cases.

Summary. The analyses presented in this section were undertaken to better understand the impact of concurrent cases and prior cases on the initial sentence because these variables are very likely to influence the case decision making process. Racial disparity described earlier in this report prompted the need for additional analyses.

Specifically, as described previously, in 2015, Blacks represented 4.2% of the state population but accounted for 12.4% of arrests/summonses, 10.5% of adult district court filings, and 20.9% of cases sentenced. In juvenile court, Blacks represented 16% of cases filed, compared to 5% of Black youth in the population. In county court only there were few differences in the initial sentence across race/ethnicity. However, in adult district court, nearly 25% of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to other race/ethnicity groups. Overall in district court, Blacks were more likely than the other race/ethnicity categories to receive initial sentences of confinement (community corrections, Department of Corrections and jail) and less likely to receive probation or a deferred judgment for Drug, Other, and Violent offenses. Likewise, in juvenile court, for each of the four crime types, Blacks were much less likely than the other race/ethnicity categories to receive a deferred judgment and much more likely to receive an initial sentence to the Division of Youth Corrections for Drug, Other, and Violent offenses (this finding did not hold for Property offenses).

But these findings could be attributed to the presence of concurrent cases and/or prior history. However, when controlling for these in the tables presented above, Blacks in adult district court and juvenile court were still less likely to receive a deferred judgment compared to the other race/ethnicity groups. A deferred judgment is an opportunity to avoid a criminal record. Likewise, Blacks were more likely to receive sentences to the Department of Corrections and, for youth, probation (instead of a deferred judgment). Blacks in juvenile court with 1-2 concurrent cases were more likely than other race/ethnicity groups to be sentenced to the Division of Youth Corrections.

Despite this effort to better understand the findings presented in Section 3, it is possible that other factors besides concurrent cases and prior history explain the race/ethnicity differences in initial sentences for Black defendants.

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Appendix A

NIBRS Group A Arrest Crimes

Category	Subcategory	NIBRS Offense
Drugs		
	Drugs	
		Drug Equipment
		Drugs
Other		
	DUI	
		DUI
	Other	
		All Other
		Bad Checks
		Bribery
		Curfew/Loitering/Vagrancy
		Destruction of Property
		Disorderly Conduct
		Drunkeness
		Hit and Run
		Human Trafficking - Labor
		Liquor Law Violations
		Non-violent Family Offenses
		Runaway
		Trespassing
		Wagering
	Other Sex Crime	
		Fondling
		Human Trafficking - Commercial Sex Acts
		Peeping Tom
		Pornography
		Promoting Prostitution
		Prostitution
		Purchasing Prostitution
	Weapons	
		Weapons Laws Violation
Property		
	Arson	
		Arson
	Burglary	

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		Burglary
	Fraud	
		Counterfeit
		Credit Card/ATM Fraud
		Embezzlement
		Extortion
		False Pretenses
		Impersonation
		Wire Fraud
	Motor Vehicle Theft	
		Motor Vehicle Theft
	Theft	
		Other Larceny
		Pocket Picking
		Purse Snatching
		Shop Lifting
		Stolen Property
		Theft from Building
		Theft from Coin-Operated
		Theft from Motor Vehicle
		Theft of Motor Vehicle Parts
Violent		
	Agg Assault	
		Agg Assault
	Homicide	
		Homicide
	Kidnapping	
		Kidnapping
	Other Homicide	
		Manslaughter
	Robbery	
		Robbery
	Sex Assault	
		Incest
		Rape
		Sexual Assault
		Sodomy
		Statutory Rape
	Simple Assault	

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| | | Intimidation |
| | | Simple Assault |

Appendix B

Most serious filing/conviction charge categories

Drugs
Drugs(Distribution)
Drugs(Possession)
Other
Escape
Inchoate
Miscellaneous Felony
Miscellaneous Misdemeanor
Other Custody Violations
Other Sex Crime
Sex Offender Failure to Register
Traffic Felony
Traffic Misdemeanor
Weapons
Property
Arson
Burglary
Extortion
Forgery
Fraud
Motor Vehicle Theft
Other Property
Theft
Violent
Felony Assault
Homicide
Kidnapping
Misdemeanor Assault
Other Homicide
Robbery
Sex Assault

Arson - 1st - 4th degree arson

Burglary - 1st to 3rd degree burglary, possession of burglary tools

Drug Poss - drug possession, paraphernalia possession

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Drugs - manufacture, process, distribute, cultivate, possession with intent to distribute

Escape

Extortion

Felony Assault - 1st and 2nd degree assault, vehicular assault, felony menacing, felony stalking, felony child abuse, witness intimidation

Forgery

Fraud

Homicide - 1st and 2nd degree murder

Kidnapping - 1st and 2nd degree kidnapping, false imprisonment, human trafficking, violation of custody

Misc Felony - Giving false information to a pawn broker, bribery, witness tampering, vehicular eluding, wiretapping, cruelty to animals,

Misc Misd - prostitution, patronizing a prostitute, resisting arrest, obstructing a peace officer, disorderly conduct, interference with school staff, cruelty to animals

Misd Assault -3rd degree assault, child abuse, violation of a protection order, harassment

Other Custody Violations - aiding escape, contraband, violation of bail bond conditions

Other Homicide - manslaughter, vehicular homicide, criminally negligent homicide, child abuse causing death